

EXHIBIT A

1

VOL. I

PAGES 1-313

EXHIBITS 1-17

UNITED STATES DISTRICT COURT
DISTRICT COURT OF MASSACHUSETTS
CASE NO. 16-cv-10386LTS

ALEXANDER STYLLER, INTEGRATED)
COMMUNICATIONS & TECHNOLOGIES,)
INC., JADE CHENG, JASON YUYI,)
CATHY YU, CAROLINE MARAFAO)
CHENG, PUSHUN CHENG, CHANGZHEN)
NI, JUNGANG YU, MEIXIANG)
CHENG, FANGSHOU YU, and)
CHANGUA NI,)
Plaintiffs,)
vs)
HEWLETT-PACKARD FINANCIAL)
SERVICES COMPANY,)
HEWLETT-PACKARD FINANCIAL)
SERVICES (INDIA) PRIVATE)
LIMITED, HP, INC., HEWLETT)
PACKARD ENTERPRISE COMPANY,)
and DAVID GILL,)
Defendants.)

DEPOSITION of SHELLEY RAINA, a witness called on behalf of the plaintiffs, taken pursuant to the applicable provisions of the Federal Rules of Civil Procedure, before Marie C. Leonard, Registered Professional Reporter, Certified Shorthand Reporter No. 146799, and a Notary Public in and for the Commonwealth of Massachusetts, at the offices of Choate Hall & Stewart LLP, Two International Place, Boston, Massachusetts, on Wednesday, February 5, 2020, commencing at 9:20 a.m.

MARY K. CORCORAN
Professional Court Reporter
N. Weymouth, MA 02191
fstfngrs@yahoo.com 781-258-5421

1 **APPEARANCES :**

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

Joffe Law P.C.
(By Dimitry Joffe, Esq.)
765 Amsterdam Ave., 2C
New York, New York 10025
T: 917.929.1964
F: 212.808.3020
E: dimitry@joffe.law
for the plaintiffs

Choate Hall & Stewart LLP
(By Michael H. Bunis, Esq.)
(By Kevin C. Quigley, Esq.)
Two International Place
Boston, Massachusetts 02110
T: 617.249.5000
F: 617.248.4000
E: mbunis@choate.com
E: kquigley@choate.com
for the defendants

Gibbons P.C.
(By Paul A. Saso, Esq.)
One Pannsylvania Plaza, 37th Floor
New York, New York 10119-3701
T: 212.613.2171
F: 212.554.9686
E: psaso@gibbonslaw.com
for the defendants

Also Present:

Alexander Styller

3

I N D E X**Deposition of: Page**

SHELLEY RAINA

Examination by Mr. Joffe	5
Examination by Mr. Bunis	311

PX Exhibits Page

No. 1	Rebuttal Expert Report of Shelley Raina Regarding the Authenticity of the Seized Equipment	7
No. 2	Curriculum Vitae	14
No. 3	Defendant Hewlett Packard Enterprise Company's Amended Responses to Plaintiffs' First Set of Interrogatories	15
No. 4	Data-driven solutions to protect your brand	46
No. 5	Secretary of State Articles of Organization	56
No. 6	Secretary of State Statement of Information	61
No. 7	Secretary of State Statement of No Change	63
No. 8	Printout of Dockets	76
No. 9	Spreadsheet	107
No. 10	Exhibit 3	116

(Next page)

<p>1 I N D E X (continued) 4</p> <p>2</p> <p>3 PX Exhibits Page</p> <p>4 No. 11 Statement on Anti-counterfeiting 129 for H3C Hosts, and Optical Modules</p> <p>5 No. 12 Letter dated 4/22/13 210</p> <p>6 No. 13 Exhibit 4 222</p> <p>7 No. 14 Validate 255</p> <p>8 No. 15 Hewlett Packard Enterprise 261</p> <p>9 No. 16 Expert Witnesses in Court 280 Proceedings for Actions Against Counterfeit Goods</p> <p>10 No. 17 H3C letter regarding barcode info 291 on the website</p> <p>11 No. 18 Interrogation Record 296</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p>6</p> <p>1 Q. And have you been questioned under oath</p> <p>2 before?</p> <p>3 A. No.</p> <p>4 Q. Okay. You understand that being under oath</p> <p>5 means you're sworn to tell the truth?</p> <p>6 A. Yes.</p> <p>7 Q. And unlike in the typical conversations, your</p> <p>8 answers today are under oath and this may</p> <p>9 subject you to potential charges of perjury if</p> <p>10 you don't answer truthfully; you understand</p> <p>11 that?</p> <p>12 A. Correct.</p> <p>13 Q. Yes. And there is nothing that will prevent</p> <p>14 you from giving me your truthful answers</p> <p>15 today, correct?</p> <p>16 A. Correct.</p> <p>17 Q. You're not under medication or under any</p> <p>18 influence that will prevent you from doing so?</p> <p>19 A. Correct.</p> <p>20 Q. If don't understand any of my questions, would</p> <p>21 you please ask me to rephrase or clarify?</p> <p>22 A. I will.</p> <p>23 Q. Okay. Great. And if you need a break, please</p> <p>24 let me know; and as soon as there are no</p>
<p>5</p> <p>1 P R O C E E D I N G S</p> <p>2</p> <p>3 SHELLEY RAINA, having been</p> <p>4 satisfactorily identified by the production of</p> <p>5 his Texas driver's license, and duly sworn by</p> <p>6 the Notary Public, was examined and testified</p> <p>7 as follows:</p> <p>8</p> <p>9 EXAMINATION BY MR. JOFFE:</p> <p>10 Q. Good morning, Mr. Raina.</p> <p>11 A. Good morning.</p> <p>12 Q. My name is Dimitry Joffe. I'm an attorney</p> <p>13 representing the plaintiffs in this case, and</p> <p>14 I'll be asking you some questions today.</p> <p>15 A. Okay.</p> <p>16 Q. Are you aware that you are being deposed in</p> <p>17 the case of ICT and others versus had HPFS and</p> <p>18 others?</p> <p>19 A. Yes.</p> <p>20 Q. Have you ever had your deposition taken</p> <p>21 before?</p> <p>22 A. No.</p> <p>23 Q. So you understand that you are under oath?</p> <p>24 A. Yes.</p>	<p>7</p> <p>1 pending questions, we'll have a break.</p> <p>2 A. Okay.</p> <p>3 Q. Okay. Thank you.</p> <p>4 I want to show you what I will ask the</p> <p>5 reporter to mark as Exhibit 1.</p> <p>6 (PX Exhibit No. 1, Rebuttal Expert</p> <p>7 Report of Shelley Raina Regarding the</p> <p>8 Authenticity of the Seized Equipment</p> <p>9 marked for identification)</p> <p>10 Q. And, Mr. Raina, what I've handed you is a copy</p> <p>11 of a document entitled "Rebuttal Expert Report</p> <p>12 of Shelly Raina Regarding the Authenticity of</p> <p>13 the Seized Equipment" dated January 15, 2020;</p> <p>14 do you see that?</p> <p>15 A. Yes.</p> <p>16 Q. And that's your signature on the title page?</p> <p>17 A. Yes.</p> <p>18 Q. Yes. I don't see your signature at the end of</p> <p>19 the report. Could you please tell me if</p> <p>20 page 25 is actually the last page of the</p> <p>21 report?</p> <p>22 MR. BUNIS: why don't you take your</p> <p>23 time and look through it and make sure it's</p> <p>24 complete.</p>

<p style="text-align: center;">8</p> <p>1 Q. Yeah. And look through the whole report to</p> <p>2 see if it's a true and correct part of the</p> <p>3 exhibit.</p> <p>4 A. I'm sorry. Can you repeat the question again,</p> <p>5 if there was one?</p> <p>6 Q. Yes. I didn't see your signature at the end</p> <p>7 of the report, and I just want to make sure</p> <p>8 that page 25 is the last page?</p> <p>9 A. That would be correct, yes.</p> <p>10 Q. Okay. Thank you.</p> <p>11 Last night I received a corrected</p> <p>12 appendix to the report from counsel, because</p> <p>13 the prior version did not accurately summarize</p> <p>14 the data that you captured. And I want to ask</p> <p>15 you if there are any other changes or</p> <p>16 corrections that you would like to make to</p> <p>17 your report.</p> <p>18 A. None.</p> <p>19 Q. None. Okay.</p> <p>20 So let's take a look at the next page,</p> <p>21 which is a "Table of Contents." Do you see</p> <p>22 anything missing on this page?</p> <p>23 A. I'm not sure if I understand the question.</p> <p>24 Q. There are no page numbers. Usually table of</p>	<p style="text-align: center;">10</p> <p>1 MR. BUNIS: I'm going to object,</p> <p>2 because you know that since you bear the</p> <p>3 burden of proof of authenticity, it's your</p> <p>4 burden to demonstrate first, that the products</p> <p>5 were, in your opinion -- your expert's</p> <p>6 opinion, gen- -- counterfeit. The entire</p> <p>7 purpose of his report going second is to rebut</p> <p>8 that opinion. So the whole -- we would take</p> <p>9 the position that the entire thing is in</p> <p>10 response to the report that you submitted.</p> <p>11 MR. JOFFE: I'm asking the witness --</p> <p>12 MR. BUNIS: And -- and I think that</p> <p>13 that's a legal conclusion that calls -- that's</p> <p>14 beyond the scope of what his testimony is here</p> <p>15 for, Dimitry.</p> <p>16 Q. So I'm asking your understanding, Mr. Raina?</p> <p>17 MR. BUNIS: To the extent you</p> <p>18 understand the question, you can answer.</p> <p>19 A. Yeah. I mean, I would just --</p> <p>20 MR. JOFFE: I object to your making</p> <p>21 speaking objections.</p> <p>22 Q. But go ahead, please.</p> <p>23 A. Yeah. I mean, it's -- it's a rebuttal to the</p> <p>24 -- to the original determination, and that's</p>
<p style="text-align: center;">9</p> <p>1 contents have page numbers and this one</p> <p>2 doesn't. The table of contents includes</p> <p>3 Part VII, which is "Affirmative Opinions</p> <p>4 Regarding the Authenticity of the Seized</p> <p>5 Equipment"; do you see that?</p> <p>6 A. Yes, I do.</p> <p>7 Q. Yes. And it has a separate section made,</p> <p>8 which is rebuttal to the observations of</p> <p>9 plaintiff's expert, correct?</p> <p>10 A. Correct.</p> <p>11 Q. So your report is both your affirmative</p> <p>12 report, report chief, and rebuttal report to</p> <p>13 Dr. Fang's, correct?</p> <p>14 A. That is correct.</p> <p>15 Q. Yeah. It's not just the rebuttal report, as</p> <p>16 it says on the title page, correct?</p> <p>17 A. I'm not sure if I understand the difference.</p> <p>18 Q. The rebuttal report is a response to somebody</p> <p>19 else's report, correct?</p> <p>20 A. Yes.</p> <p>21 Q. Yes. And this report includes your</p> <p>22 affirmative opinions --</p> <p>23 A. It --</p> <p>24 Q. -- not just rebuttal, yes?</p>	<p style="text-align: center;">11</p> <p>1 -- that's what this report is all about, made</p> <p>2 by the expert witness on your side.</p> <p>3 Q. You prepared this report in rebuttal to</p> <p>4 Dr. Fang's report?</p> <p>5 A. And I -- I was asked to analyze the products</p> <p>6 and determine if they were genuine or</p> <p>7 counterfeit, which is what I did. And I</p> <p>8 captured that in this report. I was also</p> <p>9 asked to preview that Dr. Fang's expert report</p> <p>10 and provide an opinion, and I did that as</p> <p>11 well.</p> <p>12 Q. And could you please tell me the sequence of</p> <p>13 your inspecting the equipment and responding</p> <p>14 to Dr. Fang's report?</p> <p>15 A. So I analyzed the products first independently,</p> <p>16 and I captured my analysis. And then after</p> <p>17 that I was provided the -- or the Dr. Fang's</p> <p>18 expert report was shared with me. I reviewed</p> <p>19 that and provided my opinion on that report as</p> <p>20 well.</p> <p>21 Q. Okay. Thank you.</p> <p>22 Let's turn to the page 1 of your</p> <p>23 report. And it starts with "Introduction."</p> <p>24 And Paragraph 1 says that you've been retained</p>

<p style="text-align: center;">12</p> <p>1 as an expert by counsel for defendants; do you</p> <p>2 see that?</p> <p>3 A. I do.</p> <p>4 Q. And who retained you, which counsel?</p> <p>5 A. Choate Hall, here, retained me.</p> <p>6 Q. And who is the person you -- that actually</p> <p>7 retained you, the name of the counsel?</p> <p>8 MR. BUNIS: If you can recall.</p> <p>9 Q. If you remember, sure.</p> <p>10 A. I was approached by -- or I spoke to three</p> <p>11 individuals and -- being Kevin, Michael, and</p> <p>12 then Mark.</p> <p>13 Q. Was it Mark Edgerton?</p> <p>14 A. Yes.</p> <p>15 Q. Thank you.</p> <p>16 Have you done any other work for HP</p> <p>17 prior to this engagement?</p> <p>18 A. With HP, yes.</p> <p>19 Q. Can you please describe to me your prior work</p> <p>20 for HP?</p> <p>21 MR. BUNIS: Okay. I'm just going to</p> <p>22 instruct that witness, to the extent that the</p> <p>23 -- make sure in answering the question that</p> <p>24 you don't reveal any attorney/client</p>	<p style="text-align: center;">14</p> <p>1 Q. Okay.</p> <p>2 MR. BUNIS: I suppose we should point</p> <p>3 out that the Exhibit 1 is the report without</p> <p>4 the exhibits.</p> <p>5 MR. JOFFE: Would you please mark this</p> <p>6 PX 2.</p> <p>7 (PX Exhibit No. 2, Curriculum Vitae</p> <p>8 marked for identification)</p> <p>9 A. So this would be between January 2017 to</p> <p>10 December of 2017.</p> <p>11 Q. And when did you first learn about this</p> <p>12 lawsuit?</p> <p>13 A. It would be around March of 2019.</p> <p>14 Q. Paragraph 3 in your report says that you've</p> <p>15 been asked to determine whether the seized</p> <p>16 equipment was, in fact, counterfeit; do you</p> <p>17 see that?</p> <p>18 A. Yes, that's correct.</p> <p>19 Q. And who asked you, which counsel asked you to</p> <p>20 determine that?</p> <p>21 A. I do not remember that but one of the three</p> <p>22 individuals that I named already.</p> <p>23 Q. Mm-hmm. And when you say "it is, in fact,</p> <p>24 counterfeit," what do you mean "in fact"? Is</p>
<p style="text-align: center;">13</p> <p>1 communications, but you can go ahead and</p> <p>2 answer.</p> <p>3 A. Sure. So when I was working with Sideman &</p> <p>4 Bancroft and HP was -- we were retained as the</p> <p>5 outside counsel for HP. So we provided</p> <p>6 consulting services to HP around brand</p> <p>7 protection and brand security matters.</p> <p>8 Q. And when was that?</p> <p>9 MR. BUNIS: Yeah. This -- wait.</p> <p>10 A. Isn't that the --</p> <p>11 MR. BUNIS: The -- this looks like -- I</p> <p>12 think -- I'm just going to take this page. It</p> <p>13 looks like --</p> <p>14 MR. JOFFE: Yeah.</p> <p>15 MR. BUNIS: Let me just --</p> <p>16 THE WITNESS: Sorry.</p> <p>17 MR. BUNIS: No. Take your time.</p> <p>18 A. I would like to have -- see if there's a copy</p> <p>19 of my CV that I -- that was attached to it as</p> <p>20 an appendix.</p> <p>21 Q. Okay. But without the CV, do you remember</p> <p>22 when the report --</p> <p>23 A. I -- I just want to be accurate in the -- in</p> <p>24 the time frame that we're talking about.</p>	<p style="text-align: center;">15</p> <p>1 it a factual question, whether the equipment</p> <p>2 is counterfeit?</p> <p>3 A. I'm not sure if I understand that question.</p> <p>4 Q. Whether the equipment is counterfeit or not,</p> <p>5 is it a factual question?</p> <p>6 A. I'm not sure I understand the question, but I</p> <p>7 was asked to analyze the products and</p> <p>8 determine if they were genuine or counterfeit.</p> <p>9 Q. Okay. I just want to show you one more</p> <p>10 exhibit.</p> <p>11 (PX Exhibit 3, Defendant Hewlett Packard</p> <p>12 Enterprise Company's Amended Responses</p> <p>13 to Plaintiffs' First Set of</p> <p>14 Interrogatories marked for</p> <p>15 identification)</p> <p>16 Q. And what I have shown you, as you can see, is</p> <p>17 the Defendant HPE Amended Responses to</p> <p>18 Plaintiffs' First Set of Interrogatories; do</p> <p>19 you see that?</p> <p>20 MR. BUNIS: Take your time.</p> <p>21 A. I see the title on the top page.</p> <p>22 Q. Yes.</p> <p>23 A. Yes.</p> <p>24 Q. And I just want to ask you to look at page 5.</p>

<p style="text-align: center;">16</p> <p>1 And on the bottom of page 5 there is</p> <p>2 Interrogatory No. 5; do you see that?</p> <p>3 A. Yes, I do.</p> <p>4 Q. And interrogatories are written questions that</p> <p>5 plaintiffs asked of defendants.</p> <p>6 A. Plaintiffs asked what? I'm sorry.</p> <p>7 Q. Interrogatories are written questions that</p> <p>8 plaintiffs ask of defendants.</p> <p>9 A. Okay.</p> <p>10 Q. So "Do you contend that the seized equipment</p> <p>11 was counterfeit or carried counterfeit</p> <p>12 trademarks" were one of the questions that</p> <p>13 plaintiffs asked defendants; do you see that?</p> <p>14 MR. BUNIS: Where are you looking?</p> <p>15 MR. JOFFE: On page 5, on the bottom,</p> <p>16 Interrogatory No. 5.</p> <p>17 Q. Yeah. And if you look at the next page, there</p> <p>18 is a response to that interrogatory. And in</p> <p>19 the middle of it, there is an objection that</p> <p>20 says, "HPE further objects on the grounds that</p> <p>21 this interrogatory seeks information protected</p> <p>22 by the attorney/client privilege and/or</p> <p>23 attorney work product doctrine because it</p> <p>24 seeks legal conclusions as to whether the</p>	<p style="text-align: center;">18</p> <p>1 Q. And you don't provide legal conclusion as to</p> <p>2 whether the equipment is counterfeit, right?</p> <p>3 MR. BUNIS: Objection. You can answer.</p> <p>4 A. I don't, yeah.</p> <p>5 Q. You don't. Okay.</p> <p>6 (Discussion off the record)</p> <p>7 Q. Thank you.</p> <p>8 (Discussion off the record)</p> <p>9 Q. Paragraph 4 in your expert report says that</p> <p>10 the report describes the work performed by you</p> <p>11 and professionals working under your</p> <p>12 direction; do you see that?</p> <p>13 A. I do, yes.</p> <p>14 Q. Yeah. Would you please identify who were the</p> <p>15 professionals working under your directions?</p> <p>16 A. Dan Mascaro. There's only one individual, and</p> <p>17 his name is Dan Mascaro.</p> <p>18 Q. Okay. Thank you.</p> <p>19 MR. STYLLER: Are you on drugs?</p> <p>20 Michael, are you on drugs?</p> <p>21 MR. BUNIS: I'm sorry. Let's take a</p> <p>22 break. Let's take a break.</p> <p>23 (Discussion off the record)</p> <p>24 (Recess)</p>
<p style="text-align: center;">17</p> <p>1 equipment was ultimately 'counterfeit' or</p> <p>2 'carried counterfeit trademarks'; do you see</p> <p>3 that?</p> <p>4 A. Yes, I -- I do see that.</p> <p>5 Q. You're not an attorney, Mr. Raina, correct?</p> <p>6 A. That is correct.</p> <p>7 Q. You don't provide legal conclusions as to</p> <p>8 whether the equipment was counterfeit or</p> <p>9 carried counterfeit trademarks, correct?</p> <p>10 MR. BUNIS: Objection. You can answer.</p> <p>11 A. I'm not sure if I understand the question.</p> <p>12 Q. Well, I'm trying to figure out the</p> <p>13 interrogatory response by defendants saying</p> <p>14 that the question whether the equipment is</p> <p>15 counterfeit is -- it seeks legal conclusion,</p> <p>16 because whether the equipment was ultimately</p> <p>17 counterfeit or carried counterfeit trademarks</p> <p>18 is a legal conclusion.</p> <p>19 MR. BUNIS: Is that a question?</p> <p>20 MR. JOFFE: Yeah. Well, I'm trying to</p> <p>21 figure out if Mr. Raina is providing legal</p> <p>22 conclusion.</p> <p>23 MR. BUNIS: I think he already</p> <p>24 testified that he's not a lawyer.</p>	<p style="text-align: center;">19</p> <p>1 MR. BUNIS: Before we start again, I</p> <p>2 just wanted to ask you the question, we didn't</p> <p>3 put our appearances on the record. I'm</p> <p>4 assuming that you just added them?</p> <p>5 THE STENOGRAPHER: Yes.</p> <p>6 MR. BUNIS: And did you note the</p> <p>7 presence of Mr. Styller in the room?</p> <p>8 THE STENOGRAPHER: Do you want all this</p> <p>9 on the record or not?</p> <p>10 MR. BUNIS: Yes.</p> <p>11 THE STENOGRAPHER: Yes, I did.</p> <p>12 MR. BUNIS: And did you record his</p> <p>13 statement before we took the break on the</p> <p>14 transcript?</p> <p>15 THE STENOGRAPHER: I got the one where</p> <p>16 he said, "Michael, are you on drugs." But</p> <p>17 earlier, before that, he had said something</p> <p>18 and I couldn't hear what he said.</p> <p>19 MR. BUNIS: Okay. Very good.</p> <p>20 So I just want to put on the record</p> <p>21 that, Dimitry, you and I had a conversation</p> <p>22 about Mr. Styller's questions to me during the</p> <p>23 course; and we discussed how that was not</p> <p>24 going to happen again. And I indicated to you</p>

<p style="text-align: center;">20</p> <p>1 if it did, that we would have the witness --</p> <p>2 we would suspend the deposition and you agreed</p> <p>3 with me?</p> <p>4 MR. JOFFE: Well, I agreed that's what</p> <p>5 you said; and I instructed the plaintiff not</p> <p>6 to talk to you.</p> <p>7 MR. BUNIS: Okay. Very good. Let's</p> <p>8 go.</p> <p>9 MR. JOFFE: We'll continue right,</p> <p>10 agreed?</p> <p>11 MR. BUNIS: Yeah. I also noticed</p> <p>12 during the course, just before we broke, that</p> <p>13 I think Mr. Styller is speaking to you in a</p> <p>14 language that I don't know; and if he's</p> <p>15 present in the deposition, in order for the</p> <p>16 court reporter to be able to record an</p> <p>17 accurate transcript, I'm going to ask that he</p> <p>18 speak in English so she can record whatever he</p> <p>19 says.</p> <p>20 MR. STYLLER: If I speak Russian, is it</p> <p>21 okay if it's, like, off the record?</p> <p>22 MR. JOFFE: Oh, off the record we can</p> <p>23 talk, yeah.</p> <p>24 MR. STYLLER: If I speak Russian off</p>	<p style="text-align: center;">22</p> <p>1 Q. When in 2017, do you recall?</p> <p>2 A. I don't recall the exact date.</p> <p>3 Q. And have you worked there as a full-time CEO</p> <p>4 since its founding?</p> <p>5 A. I held that title beginning of 2018.</p> <p>6 Q. I asked you whether you worked as the CEO, and</p> <p>7 you said you held the title. Is there a</p> <p>8 difference between working and holding the</p> <p>9 title?</p> <p>10 A. I was the chief -- I was made the chief</p> <p>11 executive officer in the beginning of 2018.</p> <p>12 Q. You were made by whom?</p> <p>13 A. By the members of the board of True Pedigree.</p> <p>14 Q. And who are the members of the board of</p> <p>15 True Pedigree?</p> <p>16 A. So True Pedigree is -- is -- there are two</p> <p>17 more members on that board, Rick Nelson and</p> <p>18 Jeff Hallam.</p> <p>19 Q. Are you a member of the board?</p> <p>20 A. Yes.</p> <p>21 Q. What is your office phone number?</p> <p>22 A. My office phone number is 925.413.5766.</p> <p>23 Q. That's True Pedigree office number?</p> <p>24 A. That is my cell phone number.</p>
<p style="text-align: center;">21</p> <p>1 the record, is that okay?</p> <p>2 MR. JOFFE: Yeah. Okay.</p> <p>3 MR. STYLLER: So it's okay.</p> <p>4 Q. Okay. So Part II of your report, it's called</p> <p>5 "Expert Credentials." And in Paragraph 5</p> <p>6 through 10 is where you list your credentials</p> <p>7 relevant to your qualification as an expert</p> <p>8 witness in this action, correct?</p> <p>9 A. That is correct.</p> <p>10 Q. Yeah. And it starts with Paragraph 5 saying</p> <p>11 that you are the cofounder and CEO of True</p> <p>12 Pedigree; do you see that?</p> <p>13 A. I do.</p> <p>14 Q. And True Pedigree is a consulting firm</p> <p>15 specializing in anti-counterfeiting</p> <p>16 investigations and strategies, correct?</p> <p>17 A. That is correct.</p> <p>18 Q. And then your paragraph goes on to describe</p> <p>19 your "two decades of experience in product and</p> <p>20 supply chain security," correct?</p> <p>21 A. That is correct.</p> <p>22 Q. Yeah. When did you cofound True Pedigree?</p> <p>23 A. True Pedigree was cofounded in -- sometime in</p> <p>24 2017.</p>	<p style="text-align: center;">23</p> <p>1 Q. That's your cell phone number?</p> <p>2 A. Yes.</p> <p>3 Q. But I was asking True Pedigree's office phone</p> <p>4 number?</p> <p>5 A. And that -- I will have to look that up. I</p> <p>6 don't have that information with me right now.</p> <p>7 Q. You are a CEO of True Pedigree?</p> <p>8 A. That's correct.</p> <p>9 Q. And you don't remember True Pedigree's office</p> <p>10 number?</p> <p>11 A. No, I don't. Off the top of my head.</p> <p>12 Q. What would it take for you to refresh your</p> <p>13 memory and find True Pedigree office number?</p> <p>14 A. I'll just have to go online.</p> <p>15 Q. Is it in your cell phone perhaps?</p> <p>16 A. No, it's not.</p> <p>17 Q. Isn't it strange that the CEO doesn't know the</p> <p>18 phone number of his company?</p> <p>19 MR. BUNIS: Objection. You can answer.</p> <p>20 A. It is not. It's a technology company. And</p> <p>21 there are a lot of technology companies,</p> <p>22 especially startups. It is very common for</p> <p>23 you to have shared the cell phone number of</p> <p>24 the individual.</p>

24	26
1 Q. How many employees does True Pedigree have?	1 work at Cisco, correct?
2 A. Two.	2 A. That is correct.
3 Q. Who are the employees of True Pedigree?	3 Q. And you started your professional career at
4 A. I am an employee of True Pedigree and Dan	4 Cisco as a hardware design engineer in 1995,
5 Mascaro.	5 correct?
6 Q. Are you full-time employees?	6 A. That is correct.
7 A. Of True Pedigree?	7 Q. In that position did you deal with
8 Q. Yes.	8 anti-counterfeiting issues and investigations?
9 A. Yes.	9 A. Not in my role as a hardware design engineer.
10 Q. Both of you are?	10 Q. Okay. And then ten years later, in 2005, you
11 A. Yeah.	11 became director of compliance systems and
12 Q. And what is Daniel Mascaro's title at	12 investigations, correct?
13 True Pedigree?	13 A. That is correct.
14 A. He's the director of supply chain audits.	14 Q. And in that position as director, you did deal
15 Q. And he works full-time at True Pedigree,	15 will with anti-counterfeit issues and
16 correct?	16 investigations, correct?
17 A. Correct, he does.	17 A. That is correct.
18 Q. Do you remember his phone number?	18 Q. And you have a team of 40 people to develop
19 MR. BUNIS: Objection.	19 anti-counterfeit solutions, correct?
20 MR. JOFFE: What's the basis, Michael?	20 A. Correct. Yes.
21 MR. BUNIS: Well, I think it's just	21 Q. Yeah. And in your prior ten-year career as an
22 wasting time with a number, what his telephone	22 engineer, did you have any other promotions?
23 is.	23 A. Yes, multiple.
24 MR. JOFFE: Is that the proper	24 Q. Multiple promotions but in the same position
25	27
1 objection, wasting the time? It's my time. I	1 as an engineer?
2 have seven hours. Stop making a speaking	2 A. As a hardware design engineer.
3 objection, and I will ask you next time to	3 Q. And then for the eight years that you were
4 provide the basis for your objections, because	4 working as the director of compliance, did you
5 you're interrupting the witness.	5 have any further promotions?
6 Q. You don't remember his phone number and you	6 A. So when I joined what was called the Cisco
7 don't remember True Pedigree office phone	7 brand protection team in 2005, I did not hold
8 number, correct?	8 the title of director. Director was the last
9 MR. BUNIS: Asked and answered.	9 title that I had held when I was at Cisco. So
10 A. Correct.	10 I joined initially as a manager. Then I was
11 Q. When your counsel objects, you still are to	11 promoted to a senior manager. And then from
12 respond to my questions. I may rephrase it in	12 there I was promoted to a director. So the
13 response to his objection or I may not. But	13 last title that I held at Cisco was as a
14 unless he instructs you not to answer, you	14 director.
15 will answer my questions, understood?	15 Q. And when were you promoted to the director?
16 A. I understand.	16 A. I do not remember that off the top of my head.
17 Q. Thank you.	17 Q. Approximately?
18 In your summary of qualifications,	18 A. Approximately --
19 which is Part II called "Expert Credentials,"	19 Q. Yeah.
20 you provide examples of your experience in	20 A. Approximately it was towards the end 2011 or
21 product and supply chain security; do you see	21 early 2012.
22 that?	22 Q. And then you left Cisco in 2013, correct?
23 A. Yes.	23 A. That is correct.
24 Q. Yes. And the first example you give is your	24 Q. And why did you leave your position of

<p style="text-align: right;">28</p> <p>1 director of compliance system and</p> <p>2 investigations?</p> <p>3 A. I had another opportunity to -- that I was</p> <p>4 looking forward to and that I accepted.</p> <p>5 Q. And which opportunity was that?</p> <p>6 A. That opportunity was to found -- founding a</p> <p>7 company called -- founded -- cofounder of</p> <p>8 Vantage Point Analytics.</p> <p>9 Q. And where was the company's office?</p> <p>10 A. It was -- we had an office in Austin, and then</p> <p>11 we also had presence in San Francisco.</p> <p>12 Q. Which office did you work out of?</p> <p>13 A. Out of the Austin office but I also traveled</p> <p>14 to the San Francisco quite office frequently.</p> <p>15 Q. And in your description of -- in Paragraph 8</p> <p>16 of Vantage Point Analytics, you said that "In</p> <p>17 that capacity, I partnered with Flextronics";</p> <p>18 do you see that?</p> <p>19 A. Yes.</p> <p>20 Q. Can you please explain what do you mean by</p> <p>21 "partnered with Flextronics"?</p> <p>22 A. So Flextronics was a company that invested in</p> <p>23 Vantage Point Analytics.</p> <p>24 Q. And did you work for Flextronics, also?</p>	<p style="text-align: right;">30</p> <p>1 A. Yes.</p> <p>2 Q. -- correct?</p> <p>3 A. Yeah.</p> <p>4 Q. And then the last paragraph refers to your</p> <p>5 attached CV; and it says that you "have not</p> <p>6 previously provided expert testimony at a</p> <p>7 deposition, arbitration, or trial," correct?</p> <p>8 A. That is correct.</p> <p>9 Q. And have you ever provided expert reports?</p> <p>10 A. How would you define an expert report?</p> <p>11 Q. Expert report is something that you provided</p> <p>12 in this case, the one you're looking at right</p> <p>13 now. So expert report would be from expert</p> <p>14 witness like yourself. It would be a</p> <p>15 consulting expert. So do you know what</p> <p>16 consulting expert is?</p> <p>17 A. No.</p> <p>18 Q. Well, a report written for purposes of</p> <p>19 litigation.</p> <p>20 MR. BUNIS: Just to be clear, can you</p> <p>21 -- I think there was a lot of back and forth.</p> <p>22 Maybe just what the last question --</p> <p>23 MR. JOFFE: Okay. Fine. Fine.</p> <p>24 Q. I want to ask if you -- before this expert</p>
<p style="text-align: right;">29</p> <p>1 A. There was -- yeah. I also consulted with</p> <p>2 Flextronics.</p> <p>3 Q. And what did Flextronics do?</p> <p>4 A. Flextronics is -- is the second largest</p> <p>5 contract manufacturer in the world.</p> <p>6 Q. And does it do anti-counterfeiting</p> <p>7 investigations or develop anti-counterfeiting</p> <p>8 solutions?</p> <p>9 A. As part of the services that they offer to</p> <p>10 their clients that manufacture their products</p> <p>11 with Flextronics or through Flextronics'</p> <p>12 manufacturing facilities, that is a service</p> <p>13 that is offered for whoever is interested.</p> <p>14 Q. What was your position at Flextronics?</p> <p>15 A. I was -- I had a dual role. I was the -- I</p> <p>16 had a dual role. So I was the -- the chief</p> <p>17 operating officer of Vantage Point Analytics,</p> <p>18 and I also was a consultant to Flextronics.</p> <p>19 Q. Okay. And the report also says that you</p> <p>20 received your bachelor of science degree in</p> <p>21 1995, correct?</p> <p>22 A. That's correct.</p> <p>23 Q. So your Cisco job was the first job after</p> <p>24 graduation --</p>	<p style="text-align: right;">31</p> <p>1 report, whether you ever provided any other</p> <p>2 expert reports?</p> <p>3 A. I just want to clarify. And while I was at</p> <p>4 Cisco --</p> <p>5 Q. Mm-hmm.</p> <p>6 A. -- and I was head of the brand protection</p> <p>7 engineering group, we used to write reports</p> <p>8 which was analysis of the products that we</p> <p>9 analyzed in our labs. And these reports were</p> <p>10 used and shared with law enforcement agencies.</p> <p>11 So I'm not sure if that is classified as an</p> <p>12 expert report. But I have previously written</p> <p>13 engineering analysis reports to determine if a</p> <p>14 given product was genuine or counterfeit.</p> <p>15 Q. Mm-hmm. But did you write any expert witness</p> <p>16 report for litigation like you do now?</p> <p>17 A. No. No.</p> <p>18 Q. No. Okay.</p> <p>19 And then there is a section of</p> <p>20 "Compensation," and it says that "True</p> <p>21 Pedigree's been compensated at rates ranging</p> <p>22 from 280 to 650 per hour"; do you see that.</p> <p>23 A. Yes, I do.</p> <p>24 Q. Yeah. And who was compensated at the rate of</p>

32	34
<p>1 280 per hour?</p> <p>2 A. That would be Dan Mascaro.</p> <p>3 Q. Have you ever served as a consulting expert in</p> <p>4 any litigation?</p> <p>5 A. No.</p> <p>6 Q. So to summarize the Part II of your report</p> <p>7 called "Expert Credentials," besides your</p> <p>8 prior work experience at Cisco, Vantage Point</p> <p>9 Analytics, Flextronics, and True Pedigree --</p> <p>10 A. Yes.</p> <p>11 Q. -- and those experience -- and those citations</p> <p>12 are evidences of your nearly two decades of</p> <p>13 experience in product and supply chain</p> <p>14 security, correct?</p> <p>15 A. Correct.</p> <p>16 Q. Though for the first ten years since Cisco,</p> <p>17 you didn't work in -- in -- you worked as a</p> <p>18 hardware engineer; you didn't work as a expert</p> <p>19 in security or counterfeiting?</p> <p>20 MR. BUNIS: Objection, compound</p> <p>21 question. You can answer.</p> <p>22 Q. If you understand the question?</p> <p>23 A. I do understand the question. And as -- as a</p> <p>24 hardware design engineer, I did build products</p>	<p>1 Q. It does. Okay.</p> <p>2 You mentioned earlier your work at</p> <p>3 Sideman & Bancroft?</p> <p>4 A. Yes.</p> <p>5 Q. And your resume, which you have in front of</p> <p>6 you, it says that you worked as a product and</p> <p>7 supply chain security strategist, correct?</p> <p>8 MR. BUNIS: Where are you? I'm sorry.</p> <p>9 Where are you looking?</p> <p>10 MR. JOFFE: I'm looking at his resume.</p> <p>11 A. Yes.</p> <p>12 Q. Is it correct?</p> <p>13 A. Yeah. I see the title, yeah.</p> <p>14 Q. Is it accurate title?</p> <p>15 A. Yeah.</p> <p>16 Q. And your CV also says that you assist the</p> <p>17 front lines and product and supply chain</p> <p>18 security assessments, correct?</p> <p>19 A. That's correct.</p> <p>20 Q. So isn't this position in product and supply</p> <p>21 chain security strategies relevant experience</p> <p>22 in product and supply chain security?</p> <p>23 A. Yes, that's correct.</p> <p>24 Q. So why didn't you mention your work at Sideman</p>
33	35
<p>1 or I dealt with products where security was</p> <p>2 paramount. So I had exposure to product</p> <p>3 security solutions and had a very good</p> <p>4 understanding of the supply chain security</p> <p>5 through that experience, and that was one of</p> <p>6 the primary reasons that I was then selected</p> <p>7 as the head of the brand protection</p> <p>8 engineering team in 2005.</p> <p>9 Q. Thank you.</p> <p>10 Do you have any other relevant work</p> <p>11 experience that is not mentioned in this</p> <p>12 Part II of your report?</p> <p>13 A. Nothing that would be relevant. I'm not sure</p> <p>14 if I -- you know, I worked at Taco Bell for</p> <p>15 example, when I came here, so yeah.</p> <p>16 Q. No. And I mean --</p> <p>17 A. Yeah.</p> <p>18 Q. So I'm asking about your experience in product</p> <p>19 and supply chain security. So there is --</p> <p>20 other than mentioned in Paragraph 5 to 10 of</p> <p>21 your report, there is no relevant experience</p> <p>22 in product or supply chain security?</p> <p>23 A. That is correct. Because this captures</p> <p>24 everything.</p>	<p>1 & Bancroft in the -- your "Expert Credential"</p> <p>2 section?</p> <p>3 A. Just -- just an oversight, but experience is</p> <p>4 relevant as well.</p> <p>5 Q. It is relevant?</p> <p>6 A. Yes.</p> <p>7 Q. And your failure to mention it is an</p> <p>8 oversight?</p> <p>9 A. Yes.</p> <p>10 Q. When did you -- well, you were -- I think you</p> <p>11 already mentioned you worked at Sideman in</p> <p>12 January '17 through December '17, correct?</p> <p>13 A. Correct.</p> <p>14 Q. So it's a relevant -- a recent experience;</p> <p>15 would you agree with me?</p> <p>16 A. Yes.</p> <p>17 Q. And being the strategist in product and supply</p> <p>18 chain security is relevant to your experience</p> <p>19 in product and supply chain security, correct?</p> <p>20 A. Correct.</p> <p>21 Q. I don't -- can you explain how it could be a</p> <p>22 product of oversight, failure to mention</p> <p>23 Sideman & Bancroft?</p> <p>24 A. It's -- you know, just didn't capture it; but</p>

<p style="text-align: center;">36</p> <p>1 I have, as I've stated, 20 years of experience</p> <p>2 in this field.</p> <p>3 Q. I'm speaking about specifically your position</p> <p>4 of product and supply chain security</p> <p>5 strategist at Sideman & Bancroft, which are</p> <p>6 left out of your "Expert Credential" section</p> <p>7 of the report; and I'm trying to figure out</p> <p>8 why.</p> <p>9 A. There's no purpose behind it. As I said, it's</p> <p>10 just an oversight.</p> <p>11 Q. How many drafts of the expert report have you</p> <p>12 prepared?</p> <p>13 A. I'm not sure if I understand the question.</p> <p>14 Q. How did you go about writing the expert</p> <p>15 report? Did you create several iterations of</p> <p>16 it?</p> <p>17 A. Yes. I worked on it a little bit at a time.</p> <p>18 Q. And any prior drafts of the report, did they</p> <p>19 contain the mention of Sideman & Bancroft in</p> <p>20 your "Expert Credential" section?</p> <p>21 A. No.</p> <p>22 Q. No. And what does Sideman & Bancroft do,</p> <p>23 the --</p> <p>24 A. They are a law firm in San Francisco.</p>	<p style="text-align: center;">38</p> <p>1 and nonlegal professionals like yourself?</p> <p>2 A. Both lawyers and nonlegal professionals,</p> <p>3 support staff.</p> <p>4 Q. And how many worked at BIIG group?</p> <p>5 A. I don't have the exact number, but about</p> <p>6 roughly 20-plus.</p> <p>7 Q. And how many support staff professionals</p> <p>8 worked at the group?</p> <p>9 A. It's -- it's hard for me to put a number to</p> <p>10 it, because a lot of the support staff also</p> <p>11 supported other groups. So its kind of</p> <p>12 difficult to give you a concise number.</p> <p>13 Q. Approximate number?</p> <p>14 A. I would say approximately six.</p> <p>15 Q. And who hired you for that position at the law</p> <p>16 firm?</p> <p>17 A. The law firm did, Sideman & Bancroft. Are</p> <p>18 you --</p> <p>19 Q. Who --</p> <p>20 A. -- looking for --</p> <p>21 Q. I'm looking for names. Who did you interview</p> <p>22 with?</p> <p>23 A. Yeah. So it would be Rick Nelson and</p> <p>24 Jeff Hallam.</p>
<p style="text-align: center;">37</p> <p>1 Q. You are not a lawyer. We've already</p> <p>2 established that?</p> <p>3 A. Correct.</p> <p>4 Q. So what was your position under the firm?</p> <p>5 A. As -- as mentioned on my CV, I was a product</p> <p>6 and supply chain securities strategist.</p> <p>7 Q. Is it a support staff position, or what type</p> <p>8 of position was that?</p> <p>9 A. You can consider it as a support staff.</p> <p>10 Q. Support staff position?</p> <p>11 A. Right. Yeah.</p> <p>12 Q. And which department or working group at the</p> <p>13 law firm you worked at?</p> <p>14 A. It was a group of lawyers that were</p> <p>15 responsible for -- for product and supply</p> <p>16 chain security clients.</p> <p>17 Q. Did your group have any name?</p> <p>18 A. It was called the BIIG group, B-I-I-G. I</p> <p>19 don't remember the --</p> <p>20 Q. B-I-I-G?</p> <p>21 A. Yeah.</p> <p>22 Q. Do you know what BIIG stands for?</p> <p>23 A. I don't remember off the top of my head.</p> <p>24 Q. And BIIG was composed of lawyers or lawyers</p>	<p style="text-align: center;">39</p> <p>1 Q. And they -- those are the ones who interviewed</p> <p>2 you for the position?</p> <p>3 A. Yeah. So they -- they knew me, because</p> <p>4 Sideman & Bancroft was the outside counsel for</p> <p>5 Cisco. So I had worked with them pretty much</p> <p>6 since 2005. And after I left Vantage Point</p> <p>7 Analytics, I reached out to them and we had a</p> <p>8 conversation and it felt like that this role</p> <p>9 in the law firm would be -- would be</p> <p>10 beneficial to both the parties; and that's</p> <p>11 when I joined Sideman & Bancroft.</p> <p>12 Q. And what was the scope of your</p> <p>13 responsibilities, what did you do at the law</p> <p>14 firm?</p> <p>15 A. So the law firm, and specifically the BIIG</p> <p>16 group that I mentioned earlier had clients,</p> <p>17 where they were offering -- you know,</p> <p>18 essentially offering services as outside</p> <p>19 counsel on -- on product and supply chain</p> <p>20 security matters. And I as an engineer, with</p> <p>21 my engineering background, served as a</p> <p>22 consultant to a lot of these clients in</p> <p>23 formulating the right strategies around brand</p> <p>24 protection matters.</p>

<p style="text-align: center;">40</p> <p>1 Q. And among those clients, I think you mentioned</p> <p>2 earlier it -- was it -- one of the clients was</p> <p>3 HP, correct?</p> <p>4 A. HP was one of the clients, yes.</p> <p>5 Q. Who were other non-lawyers? You mentioned</p> <p>6 approximately six people who were working</p> <p>7 under the little --</p> <p>8 A. Who had -- their names?</p> <p>9 Q. Who were -- yeah.</p> <p>10 A. There were -- there were -- as I said, you</p> <p>11 know, some of them supported multiple groups.</p> <p>12 But the two key folks would be Dan Mascaro and</p> <p>13 Robert Cozzilino, were the two non-lawyers</p> <p>14 that were also providing similar services,</p> <p>15 like I did, to the BIIG clients.</p> <p>16 Q. And whom did you report to at the law firm?</p> <p>17 A. There was no hierarchy for my position. But I</p> <p>18 reported up to the, you know, general partner,</p> <p>19 who was Jeff Hallam, or the managing partner.</p> <p>20 I'm sorry.</p> <p>21 Q. I understand there were no hierarchy and</p> <p>22 formal reporting relationship, but did you</p> <p>23 also report to Richard Nelson?</p> <p>24 A. No. I think I -- the reporting would be to</p>	<p style="text-align: center;">42</p> <p>1 Q. And you were not a lawyer as well?</p> <p>2 A. Correct.</p> <p>3 Q. When was the last time you've seen</p> <p>4 Mr. Cozzilino?</p> <p>5 A. I -- I don't remember. About maybe a year and</p> <p>6 a half back was the last time maybe that I saw</p> <p>7 Robert.</p> <p>8 Q. When was the last time that you have spoken to</p> <p>9 him?</p> <p>10 A. I -- maybe six -- six months back. Again,</p> <p>11 this is just off the top of my head.</p> <p>12 Q. Did you discuss with Mr. Cozzilino your work</p> <p>13 in this case?</p> <p>14 A. No. No, not with Mr. Cozzilino.</p> <p>15 Q. Do you know about his involvement in this</p> <p>16 case?</p> <p>17 A. I'm not sure I understand the question.</p> <p>18 Q. Do you know where Mr. Cozzilino worked prior</p> <p>19 to Sideman & Bancroft?</p> <p>20 A. He worked with HP, I believe.</p> <p>21 Q. And you have no knowledge about his</p> <p>22 involvement in the events underlying this</p> <p>23 litigation?</p> <p>24 A. I'm sorry. Can you rephrase?</p>
<p style="text-align: center;">41</p> <p>1 the managing partner, Jeff Hallam. Richard</p> <p>2 was more of a colleague.</p> <p>3 Q. Did you work to Robert Cozzilino?</p> <p>4 A. No.</p> <p>5 Q. Did you work together with Robert Cozzilino?</p> <p>6 A. On certain matters, yeah.</p> <p>7 Q. On which matters, do you recall?</p> <p>8 MR. BUNIS: Actually, I'm just going to</p> <p>9 instruct the witness, if you're talking about</p> <p>10 inquiring about work he did for a law firm, to</p> <p>11 the extent he has attorney/client</p> <p>12 responsibilities to those clients, he should</p> <p>13 be careful not to reveal that in the course</p> <p>14 your questions. You can answer the question</p> <p>15 generally. I just don't want you to reveal</p> <p>16 any communications that are subject to a</p> <p>17 privilege with someone else.</p> <p>18 A. So Robert was responsible for -- has an</p> <p>19 investigation background, and I supported him</p> <p>20 in some of these investigations from an</p> <p>21 engineering perspective for -- as he worked</p> <p>22 with some of the BIIG clients.</p> <p>23 Q. He wasn't a lawyer at the law firm, correct?</p> <p>24 A. Correct.</p>	<p style="text-align: center;">43</p> <p>1 Q. Did you know that he was involved in the</p> <p>2 events underlying this litigation?</p> <p>3 A. I'm not aware of that.</p> <p>4 Q. And he never mentioned that to you?</p> <p>5 A. Yes. No.</p> <p>6 Q. When you worked at Sideman & Bancroft, were</p> <p>7 your offices on the same floor with</p> <p>8 Mr. Cozzilino?</p> <p>9 A. No. I worked out of my home office in Austin.</p> <p>10 Q. So in January '17 through December '17 you</p> <p>11 were actually in Texas?</p> <p>12 A. Yes.</p> <p>13 Q. In Austin, Texas, right?</p> <p>14 A. That is correct.</p> <p>15 Q. And you worked remotely for Sideman & Bancroft</p> <p>16 who were in California?</p> <p>17 A. That's correct.</p> <p>18 Q. Okay. Okay. So according to your CV, you</p> <p>19 were at Sideman until December 2017?</p> <p>20 A. Right.</p> <p>21 Q. And after that you started working at True</p> <p>22 Pedigree in January 2018, correct?</p> <p>23 A. That is correct.</p> <p>24 Q. And from January 2018 until now you've been</p>

<p style="text-align: center;">44</p> <p>1 working as the CEO of True Pedigree?</p> <p>2 A. That is correct.</p> <p>3 Q. And so everybody else in True Pedigree reports</p> <p>4 to the CEO?</p> <p>5 A. Yes.</p> <p>6 Q. And so you cofounded True Pedigree, correct?</p> <p>7 A. That is correct.</p> <p>8 Q. And who was your cofounder?</p> <p>9 A. They would be Rick Nelson and Jeff Hallam.</p> <p>10 Q. And Jeff Hallam and Rick Nelson, they are</p> <p>11 partners of Sideman & Bancroft, correct?</p> <p>12 A. That is correct.</p> <p>13 Q. Do they still work at Sideman & Bancroft?</p> <p>14 A. Yes.</p> <p>15 Q. What are their positions at True Pedigree?</p> <p>16 A. So Jeff Hallam is the chief operating officer,</p> <p>17 and Rick Nelson is the chief strategy officer.</p> <p>18 Q. And so they combined this work at True</p> <p>19 Pedigree with their work at the law firm?</p> <p>20 A. That is correct.</p> <p>21 Q. They are not a full-time position at --</p> <p>22 they don't have a full-time position at</p> <p>23 True Pedigree?</p> <p>24 A. No.</p>	<p style="text-align: center;">46</p> <p>1 printout from that website.</p> <p>2 MR. JOFFE: Put this as the next</p> <p>3 exhibit.</p> <p>4 MR. BUNIS: Is this 4?</p> <p>5 THE STENOGRAPHER: Yes.</p> <p>6 (PX Exhibit No. 4, Date-driven solutions</p> <p>7 to protect your brand marked for</p> <p>8 identification)</p> <p>9 MR. BUNIS: Take your time and look</p> <p>10 through it.</p> <p>11 Q. Have you had a chance to look at this?</p> <p>12 A. Yes.</p> <p>13 Q. This website, as far as I can see, is just a</p> <p>14 landing page with no links or other pages,</p> <p>15 except for the biographer of your team</p> <p>16 members, correct?</p> <p>17 A. I'm not sure if I understand what you mean by</p> <p>18 "landing page."</p> <p>19 Q. What's in the printout is the only thing you</p> <p>20 will find on the website other than</p> <p>21 biographies of the team members. There are no</p> <p>22 links to other pages, and there are no other</p> <p>23 pages from the website, correct?</p> <p>24 A. That is correct, yes. It's a horizontal page,</p>
<p style="text-align: center;">45</p> <p>1 Q. But as far as True Pedigree hierarchy, they</p> <p>2 report to you?</p> <p>3 A. They -- essentially Dan Mascaro is the only</p> <p>4 person that reports up to me. Otherwise, we</p> <p>5 are in the same level. There's no hierarchy</p> <p>6 built in.</p> <p>7 Q. But you are the CEO, correct?</p> <p>8 A. That is correct.</p> <p>9 Q. And you mentioned that Richard Nelson is the</p> <p>10 chief strategist, correct, and Jeff Hallam is</p> <p>11 a COO, right?</p> <p>12 A. That's correct.</p> <p>13 Q. Yeah. So wouldn't they report to the chief</p> <p>14 operating officer -- chief executive officer?</p> <p>15 I'm sorry. Let me withdraw that.</p> <p>16 wouldn't the strategist and the COO</p> <p>17 report to the chief executive officer?</p> <p>18 A. Not necessarily. As I said, we've not set up</p> <p>19 a hierarchy. It's a startup. We were the</p> <p>20 three folks who founded the company, gave the</p> <p>21 titles that I shared with you, and we work as</p> <p>22 a team.</p> <p>23 Q. I looked at the website of True Pedigree, and</p> <p>24 it's www.truepedigree.com. And I show you a</p>	<p style="text-align: center;">47</p> <p>1 and that's the way a lot of websites are</p> <p>2 designed today, yeah.</p> <p>3 Q. It doesn't list the phone number of the</p> <p>4 company, correct?</p> <p>5 A. That is correct.</p> <p>6 Q. And Mr. Hallam's first name is misspelled on</p> <p>7 that; do you see that?</p> <p>8 It has one "E" missing and one "E"</p> <p>9 extra in his first name?</p> <p>10 A. I'm sorry. Can you say that again?</p> <p>11 Q. Your cofounder named Jeffrey Hallam is</p> <p>12 misspelled on the website. Jeffery is spelled</p> <p>13 as Jeffery with an extra "E" and the missing</p> <p>14 "E"; do you see that?</p> <p>15 A. I -- yeah. I'm not sure what the correct</p> <p>16 spelling is, so --</p> <p>17 Q. And the web page also shows a Smart -- what</p> <p>18 appears to be a Smart phone application that's</p> <p>19 on page 2, which is called -- if you look at</p> <p>20 the picture of the phone, it's called power --</p> <p>21 a product of authentication powered by True</p> <p>22 Pedigree; do you see that?</p> <p>23 A. That is correct.</p> <p>24 Q. So can you explain me how this app worked?</p>

<p style="text-align: center;">48</p> <p>1 A. So this is an app that interacts with a</p> <p>2 product and captures information from that</p> <p>3 interaction with the product, and I don't --</p> <p>4 I'm not comfortable sharing all the details.</p> <p>5 But there is data on the back end that you</p> <p>6 compare, data on the back end, on the back end</p> <p>7 of the platform that compares the data that is</p> <p>8 derived from the product and compared to that</p> <p>9 back-end data in order to make presumptive</p> <p>10 determination on if the product is genuine or</p> <p>11 counterfeit.</p> <p>12 Q. And it says that there is a "single scan</p> <p>13 mode," a "batch scan mode." So you scan the</p> <p>14 product with the app?</p> <p>15 A. Yes.</p> <p>16 Q. And what specifically do you scan on the</p> <p>17 product?</p> <p>18 A. It varies from client to client. It depends</p> <p>19 on the nature of the product.</p> <p>20 Q. Well, would you scan a bar code on the</p> <p>21 product?</p> <p>22 A. Yes.</p> <p>23 Q. And scanning the bar code can then tell you</p> <p>24 whether the product is presumptively authentic</p>	<p style="text-align: center;">50</p> <p>1 we make a determination if a product is</p> <p>2 presumptively genuine or counterfeit.</p> <p>3 Q. Do you have this mobile app on your phone?</p> <p>4 A. No, I don't.</p> <p>5 Q. Is it not yet available?</p> <p>6 A. No.</p> <p>7 Q. Well, is it -- does it exist?</p> <p>8 A. Yes.</p> <p>9 Q. So the app exists. It's not yet available.</p> <p>10 You, as the CEO of True Pedigree, do not have</p> <p>11 it on your phone?</p> <p>12 A. That is correct.</p> <p>13 Q. Did you use it for purposes of this</p> <p>14 inspection?</p> <p>15 A. No.</p> <p>16 Q. Why not?</p> <p>17 A. We just did not have the -- all the data from</p> <p>18 HCC on this matter to make a determination</p> <p>19 based on this app.</p> <p>20 Q. Okay. And what kind of data would you want to</p> <p>21 have from H3C to be able to use this app?</p> <p>22 A. This app is very different than the use case</p> <p>23 that we're talking about, which in this case</p> <p>24 is transceivers. And I just can't get into</p>
<p style="text-align: center;">49</p> <p>1 or presumptively counterfeit?</p> <p>2 A. Not just the bar code. As I said, I can't get</p> <p>3 into the details; but there are other pieces</p> <p>4 of information that we have as well that the</p> <p>5 company shares with us and a comparison is</p> <p>6 made. So there are multiple data points that</p> <p>7 we look at before we make that determination.</p> <p>8 Q. Oh, I'm asking about how the app itself works.</p> <p>9 You take the phone. You can scan the bar</p> <p>10 code. And then the user will see whether the</p> <p>11 bar code -- whether the product is</p> <p>12 presumptively genuine or presumptively</p> <p>13 counterfeit?</p> <p>14 A. There's -- yeah. So you can scan a label</p> <p>15 which has a bar code. It might have other</p> <p>16 information on the label. We scan that as</p> <p>17 well. We do what's called an OCR, an optical</p> <p>18 character recognition, as well. So we also</p> <p>19 have the ability to read what is printed on</p> <p>20 the label as well, along with having the</p> <p>21 ability to read 1D and 2D bar codes. And</p> <p>22 besides that, we have additional data on the</p> <p>23 back end, and we have rules and logic on how</p> <p>24 we compare those pieces of information before</p>	<p style="text-align: center;">51</p> <p>1 those details, unfortunately.</p> <p>2 Q. What prevents you from getting into those</p> <p>3 details?</p> <p>4 A. It's -- it's confidential. We have built</p> <p>5 these apps for -- for our clients.</p> <p>6 Q. Yeah. But I'm not asking specific</p> <p>7 confidential information. I'm trying to</p> <p>8 determine what kind of additional information</p> <p>9 would you need from H3C to use this app to</p> <p>10 determine whether the transceivers are</p> <p>11 counterfeit or genuine?</p> <p>12 A. So all the solutions that we build are</p> <p>13 customized solutions. So what I mean by that</p> <p>14 is for us to build a solution for a given</p> <p>15 client, we have to sit down with them. We</p> <p>16 have to understand the nature of their</p> <p>17 products. We have to understand what data</p> <p>18 they have captured as part of the</p> <p>19 manufacturing process, as part of their sales</p> <p>20 on that product, and then come up with the</p> <p>21 right solution, come up with the right</p> <p>22 solution for them so that we can build an app</p> <p>23 that will allow them to authenticate their</p> <p>24 products anywhere in the supply chain.</p>

<p style="text-align: center;">52</p> <p>1 Q. Is True Pedigree a corporation or limited 2 liability company?</p> <p>3 A. It is -- I don't remember, actually, off the 4 top of my head. I believe it's an LLP.</p> <p>5 Q. You are the CEO of the company, and you don't 6 remember whether it's LLP or Inc. or LLC?</p> <p>7 MR. BUNIS: Objection. You can answer.</p> <p>8 A. I -- I have a lot of responsibilities, and a 9 lot of these things that I just outsource. So 10 I do not remember each and every detail.</p> <p>11 Q. And the name of your company is a detail that 12 you don't remember?</p> <p>13 MR. BUNIS: Objection.</p> <p>14 A. I'm sorry. I --</p> <p>15 Q. The full name of the company, whether it's 16 True Pedigree LLP or True Pedigree LLC, you 17 don't remember, correct?</p> <p>18 A. Yeah.</p> <p>19 Q. Sitting here today, you don't remember the 20 full name of your company?</p> <p>21 MR. BUNIS: Objection, mischaracterizes 22 his testimony.</p> <p>23 Q. Okay. What is the full name of your company?</p> <p>24 A. True Pedigree. It's what I call the company.</p>	<p style="text-align: center;">54</p> <p>1 Pedigree do for HPI?</p> <p>2 A. We have built a product authentication 3 solution for HPI.</p> <p>4 Q. And when you joined True Pedigree in January 5 2018, the company already existed, correct?</p> <p>6 A. I'm sorry. Can you say that again?</p> <p>7 Q. Well, your resume says that you cofounded True 8 Pedigree in -- and it lists a date of your -- 9 the commencement of your work there, January 10 2018. So I want to figure out when did you 11 actually cofound it?</p> <p>12 A. Oh, so I don't remember the exact date. This 13 resume reflects when I started working 14 full-time with True Pedigree, which is the 15 beginning of January 2018; and that's what's 16 captured on the CV.</p> <p>17 Q. Did you work part-time for True Pedigree prior 18 to that?</p> <p>19 A. For True Pedigree?</p> <p>20 Q. Yes.</p> <p>21 A. Yes. There was a small period of time that I 22 worked part-time for True Pedigree.</p> <p>23 Q. When was that?</p> <p>24 A. I don't remember that off the top of my head.</p>
<p style="text-align: center;">53</p> <p>1 Q. What is the formal name of the company, not 2 how you call it, but how is it doing business 3 and registered?</p> <p>4 A. I don't -- I don't remember. I'll have to 5 look that up.</p> <p>6 Q. Other than this engagement, does True Pedigree 7 do any other work for HP?</p> <p>8 A. So I'm -- I'm sorry. I -- I -- can you say 9 that question again?</p> <p>10 Q. Sure. Other than this engagement --</p> <p>11 A. Which engagement?</p> <p>12 Q. -- as an expert -- as an expert witness, does 13 True Pedigree do any other work for HP?</p> <p>14 MR. BUNIS: I just want to be clear. 15 When you say "HP" --</p> <p>16 MR. JOFFE: When I say "HP," I broadly 17 refer to defendants in this chase, which are 18 HPE, HPI, HPFS, and HPFS (India).</p> <p>19 A. I'm sorry. Can you say that question again?</p> <p>20 Q. Sure.</p> <p>21 A. I was --</p> <p>22 Q. Yeah. Does True Pedigree do any work for HP?</p> <p>23 A. True Pedigree does work for HPI.</p> <p>24 Q. Okay. And what kind of work does True</p>	<p style="text-align: center;">55</p> <p>1 Q. So when you worked there part-time, the 2 company already existed, correct?</p> <p>3 A. That is correct.</p> <p>4 Q. That's what I'm trying to figure out. When 5 did you cofound? Because you said you 6 cofounded the company.</p> <p>7 A. Yeah. I just don't remember that exact time 8 or date off the top of my head. What the CV 9 reflects is when I was working full-time with 10 True Pedigree, which started in January 2018.</p> <p>11 Q. Okay. And for some period of time prior to 12 that you worked as part-time, but you don't 13 recall when that happened?</p> <p>14 A. Exactly.</p> <p>15 Q. And when you started working part-time, the 16 company was already formed?</p> <p>17 A. Yes, that is correct.</p> <p>18 Q. So you then, working back, you founded it 19 sometime prior to January 2018, correct?</p> <p>20 A. That's what I remember, yeah. I don't have 21 the exact date in mind, but that's how --</p> <p>22 Q. I'm not asking about the date. I'm asking 23 about the -- at least the month. Do you 24 remember the month when you cofound it?</p>

<p style="text-align: right;">56</p> <p>1 A. I don't, off the top of my head.</p> <p>2 Q. I want to show you the next exhibit.</p> <p>3 MR. JOFFE: Which I'd like to mark.</p> <p>4 (PX Exhibit No. 5, Secretary of State</p> <p>5 Articles of Organization marked for</p> <p>6 identification)</p> <p>7 Q. And I would like you to look at Exhibit 5,</p> <p>8 yeah, which is a copy of the Articles of</p> <p>9 Organization for True Pedigree LLC; do you see</p> <p>10 that?</p> <p>11 A. Yes, I do.</p> <p>12 Q. Do you see the name of the company is actually</p> <p>13 True Pedigree LLC?</p> <p>14 A. I do, yes.</p> <p>15 Q. Yeah. Is that correct? It's not LLP; it's</p> <p>16 LLC?</p> <p>17 A. That is correct.</p> <p>18 Q. Okay. And do you know who the person who</p> <p>19 signed the registration, the Articles of</p> <p>20 Organization; do you see at the bottom?</p> <p>21 A. Yes.</p> <p>22 Q. What is her name?</p> <p>23 A. Alisa Won.</p> <p>24 Q. And do you know her?</p>	<p style="text-align: right;">58</p> <p>1 the law firm of Sideman & Bancroft address,</p> <p>2 correct?</p> <p>3 A. That is correct.</p> <p>4 Q. Okay. Looking at this document, it doesn't</p> <p>5 appear that it was you who founded the</p> <p>6 company --</p> <p>7 MR. BUNIS: Objection.</p> <p>8 Q. Correct?</p> <p>9 MR. BUNIS: Go a head and answer it.</p> <p>10 A. I'm a cofounder. I'm not sure what -- what</p> <p>11 that --</p> <p>12 Q. You're a what?</p> <p>13 A. I'm a cofounder. I'm one of the cofounders of</p> <p>14 the company.</p> <p>15 Q. Well, what I'm trying to understand is that</p> <p>16 when the company is registered and received --</p> <p>17 and files its Articles of Incorporation, it's</p> <p>18 already founded, correct?</p> <p>19 MR. BUNIS: Objection, calls for a</p> <p>20 legal conclusion.</p> <p>21 A. I -- I don't --</p> <p>22 Q. The company existed in January 2017, correct?</p> <p>23 A. Correct.</p> <p>24 Q. Okay. So to exist, it have to be founded</p>
<p style="text-align: right;">57</p> <p>1 A. Yes.</p> <p>2 Q. And who is she?</p> <p>3 A. She is a partner at Sideman & Bancroft.</p> <p>4 Q. Okay. And do you see the date when the</p> <p>5 Articles of Organization were filed?</p> <p>6 A. Yes.</p> <p>7 Q. And what's the date?</p> <p>8 A. January 17, 2017.</p> <p>9 Q. And at that time you just started with the</p> <p>10 Sideman, correct?</p> <p>11 A. That is correct.</p> <p>12 Q. What's the address of Sideman & Bancroft?</p> <p>13 A. It's one Embarcadero Center in San Francisco.</p> <p>14 Q. And what's the address of True Pedigree LLC?</p> <p>15 A. It's the same.</p> <p>16 Q. And it's the same floor, correct?</p> <p>17 A. That is correct.</p> <p>18 Q. So the True Pedigree LLC, just to summarize,</p> <p>19 the space was founded and registered in</p> <p>20 January 2017 by a partner of Sideman &</p> <p>21 Bancroft --</p> <p>22 A. That is correct.</p> <p>23 Q. -- correct?</p> <p>24 And its address is exactly the same as</p>	<p style="text-align: right;">59</p> <p>1 before, right?</p> <p>2 A. It was founded in, yeah, January 17, 2017.</p> <p>3 Q. It was founded on January 17, 2017?</p> <p>4 A. Yeah.</p> <p>5 Q. And you started your work for Sideman &</p> <p>6 Bancroft when?</p> <p>7 A. In also January of 2017, yeah.</p> <p>8 Q. And you were the cofounder of the company at</p> <p>9 that time?</p> <p>10 A. Yes. I just want to clarify --</p> <p>11 Q. Mm-hmm.</p> <p>12 A. -- that Sideman & Bancroft is -- has invested</p> <p>13 in True Pedigree. That's why there was those</p> <p>14 dual hats. And, as I've said before, what the</p> <p>15 CV indicates is that I started working</p> <p>16 full-time for True Pedigree beginning of</p> <p>17 January 2018. So I'm not -- as of January</p> <p>18 2018 is when I started working for True</p> <p>19 Pedigree. But as an entrepreneur, the company</p> <p>20 was founded before; and the company, Sideman &</p> <p>21 Bancroft, also invested in True Pedigree. And</p> <p>22 that is why a couple of the partners at</p> <p>23 Sideman & Bancroft are also officers in</p> <p>24 True Pedigree.</p>

<p style="text-align: center;">60</p> <p>1 Q. Did you invest in True Pedigree?</p> <p>2 A. No, I have not.</p> <p>3 Q. Other than Sideman & Bancroft, does True</p> <p>4 Pedigree have other investors?</p> <p>5 A. No.</p> <p>6 Q. So it's wholly owned by the law firm?</p> <p>7 MR. BUNIS: Objection, calls for a</p> <p>8 legal conclusion. If you know?</p> <p>9 A. I'm not sure what you mean by wholly owned,</p> <p>10 but -- but I have an equity stake in the</p> <p>11 company, because of being a cofounder, and --</p> <p>12 but Sideman & Bancroft also has an equity</p> <p>13 interest in True Pedigree, but not 100 percent.</p> <p>14 Q. Other than you and Sideman & Bancroft, are</p> <p>15 there any other equity holders in True</p> <p>16 Pedigree?</p> <p>17 A. Yes.</p> <p>18 Q. Who else?</p> <p>19 A. Rick Nelson and Jeff Hallam as individuals as</p> <p>20 well.</p> <p>21 Q. Okay. Anybody else?</p> <p>22 A. I don't have the -- the entire list in my</p> <p>23 head, but the way this was set up was Sideman</p> <p>24 & Bancroft as an entity had an equity stake in</p>	<p style="text-align: center;">62</p> <p>1 A. Yes.</p> <p>2 Q. And this is a Statement of Information of True</p> <p>3 Pedigree LLC filed on November 20, 2017; do</p> <p>4 you see that?</p> <p>5 A. Yes.</p> <p>6 Q. Were you working at True Pedigree at the time?</p> <p>7 A. I'm not sure if I understand that question.</p> <p>8 Q. Did you work at True Pedigree at the time? In</p> <p>9 November 2017 did you work at True Pedigree</p> <p>10 LLC?</p> <p>11 A. I did -- I --</p> <p>12 Q. Work?</p> <p>13 A. So the company was formed; and, as I said,</p> <p>14 there were affiliates, you know, we had</p> <p>15 investments from -- so True Pedigree --</p> <p>16 Sideman & Bancroft invested in True Pedigree.</p> <p>17 I was being paid by Sideman & Bancroft 'til</p> <p>18 end of 2017. And then beginning of January</p> <p>19 2018 is when I was being paid by True</p> <p>20 Pedigree. And that's -- that's what I've</p> <p>21 captured on my CV.</p> <p>22 Q. I'm not asking what you captured on your CV.</p> <p>23 I'm trying to understand the transition</p> <p>24 between Sideman and True Pedigree, whether you</p>
<p style="text-align: center;">61</p> <p>1 True Pedigree; and then there were a certain</p> <p>2 number of equity partners that had --</p> <p>3 individuals that had an individual stake in</p> <p>4 True Pedigree as well, along with myself, and</p> <p>5 one more engineer that helped us develop some</p> <p>6 of the products for True Pedigree. So those</p> <p>7 are the equity partners that I can remember,</p> <p>8 generally speaking, in True Pedigree.</p> <p>9 Q. And among them, Richard Nelson and Jeffrey</p> <p>10 Hallam --</p> <p>11 A. That's correct.</p> <p>12 Q. -- correct?</p> <p>13 Okay. I want to show you the next</p> <p>14 exhibit.</p> <p>15 (PX Exhibit No. 6, Secretary of State</p> <p>16 Statement of Information marked for</p> <p>17 identification)</p> <p>18 Q. Have you had a chance to look at these</p> <p>19 documents?</p> <p>20 MR. JOFFE: And for the record, the</p> <p>21 exhibit is a copy of a Statement of</p> <p>22 Information dated November 20, 2017 filed with</p> <p>23 the Secretary of State of California.</p> <p>24 Q. Have you had a chance to review this?</p>	<p style="text-align: center;">63</p> <p>1 work for one or the other, and whether there</p> <p>2 was a time you worked at both. Can you</p> <p>3 explain that to me without referencing your</p> <p>4 CV?</p> <p>5 A. Yes. There was a time when I worked for both.</p> <p>6 There was -- there were official</p> <p>7 responsibilities at Sideman and then also at</p> <p>8 True Pedigree.</p> <p>9 Q. When was that?</p> <p>10 A. Roughly towards the -- you know, towards the</p> <p>11 second half of 2017.</p> <p>12 Q. Do you know who Wanda Rojas is who is listed</p> <p>13 as authorized person of True Pedigree LLC at</p> <p>14 the bottom of page 1?</p> <p>15 A. I know of her, yeah. She also works at</p> <p>16 Sideman & Bancroft.</p> <p>17 Q. She does?</p> <p>18 A. Yes.</p> <p>19 Q. And I want to show you the next exhibit, this</p> <p>20 one.</p> <p>21 (PX Exhibit No. 7, Secretary of State</p> <p>22 Statement of No Change marked for</p> <p>23 identification)</p> <p>24 Q. Which is now Statement of No Change filed with</p>

<p style="text-align: center;">64</p> <p>1 the Secretary of State on February 14, 2019</p> <p>2 for True Pedigree LLC; do you see that?</p> <p>3 A. Yes.</p> <p>4 Q. And the statement says that "There has been no</p> <p>5 change in any of the information contained in</p> <p>6 the previous Statement of Information,"</p> <p>7 correct?</p> <p>8 A. Correct. Yes.</p> <p>9 Q. And it's also filed by Wanda Rojas --</p> <p>10 A. Yes.</p> <p>11 Q. -- correct?</p> <p>12 Okay. So True Pedigree LLC continues</p> <p>13 to exist --</p> <p>14 A. Yes.</p> <p>15 Q. -- until today?</p> <p>16 And according to the prior statement,</p> <p>17 it was you, Mr. Nelson, and Mr. Hallam as its</p> <p>18 members.</p> <p>19 A. Yes.</p> <p>20 Q. Okay. So by looking at those business records</p> <p>21 filed with the Secretary of State, it appears</p> <p>22 to me that every person who either filed the</p> <p>23 statement or was listed in it is affiliated</p> <p>24 with Sideman & Bancroft; is that correct?</p>	<p style="text-align: center;">66</p> <p>1 LLC?</p> <p>2 A. So as an entrepreneur, it's --</p> <p>3 Q. Please answer my question.</p> <p>4 A. It's --</p> <p>5 MR. BUNIS: He --</p> <p>6 Q. What is your role?</p> <p>7 MR. BUNIS: He's answering the question</p> <p>8 point blank.</p> <p>9 A. Yeah. I just want to be sure that you</p> <p>10 understand. As an entrepreneur, it is very</p> <p>11 common for you to have association with</p> <p>12 multiple companies. Sideman & Bancroft saw an</p> <p>13 opportunity to invest in True Pedigree,</p> <p>14 because there were opportunities that -- that</p> <p>15 presented themselves. And we've also -- we</p> <p>16 also have an entity called True Pedigree</p> <p>17 Consulting, because we wanted to differentiate</p> <p>18 the products and services that were being</p> <p>19 offered between one company versus the other.</p> <p>20 And what I mean by that is, as an</p> <p>21 example, the product authentication solution</p> <p>22 that we talked about earlier is something that</p> <p>23 True Pedigree offers; and then there are some</p> <p>24 consulting projects that we take on and some</p>
<p style="text-align: center;">65</p> <p>1 MR. BUNIS: Objection, calls for a</p> <p>2 legal conclusion. You can answer.</p> <p>3 A. Yes.</p> <p>4 Q. Do you know the company called True Pedigree</p> <p>5 Consulting LLC?</p> <p>6 A. Yes.</p> <p>7 Q. Is this a different company from True Pedigree</p> <p>8 LLC?</p> <p>9 A. Yes.</p> <p>10 Q. Where is its office?</p> <p>11 A. As -- the same office as True Pedigree.</p> <p>12 Q. Is it One Embarcadero Center and it's on the</p> <p>13 same floor as True Pedigree Consult -- as True</p> <p>14 Pedigree LLC?</p> <p>15 A. That is correct.</p> <p>16 Q. And it's on the same floor as Sideman &</p> <p>17 Bancroft?</p> <p>18 A. Yes.</p> <p>19 Q. Yeah. And how is the -- well, which one do</p> <p>20 you work for?</p> <p>21 A. I work for both of those companies.</p> <p>22 Q. And what's your --</p> <p>23 A. It's --</p> <p>24 Q. What is your role at True Pedigree Consulting</p>	<p style="text-align: center;">67</p> <p>1 other solutions that we built that are offered</p> <p>2 through True Pedigree Consulting. And for</p> <p>3 both of those companies, I am the CEO. That's</p> <p>4 the title that I hold. But you have to</p> <p>5 understand it's a startup. We're not a big</p> <p>6 company. So we all work collectively in</p> <p>7 ensuring that we're generating business and</p> <p>8 revenue through True Pedigree and through True</p> <p>9 Pedigree Consulting.</p> <p>10 Q. So you mentioned that you are the CEO of True</p> <p>11 Pedigree Consulting LLC --</p> <p>12 A. Yes.</p> <p>13 Q. -- correct?</p> <p>14 A. Yes.</p> <p>15 Q. And who are the employees or officers of True</p> <p>16 Pedigree Consulting LLC?</p> <p>17 A. So the officers are again Jeff Hallam and</p> <p>18 Rick Nelson.</p> <p>19 Q. So is it the same team through True Pedigree</p> <p>20 Consulting LLC as in True Pedigree LLC?</p> <p>21 A. Yes, that is correct.</p> <p>22 Q. And the same law firm invested in both</p> <p>23 companies?</p> <p>24 A. Yes.</p>

<p style="text-align: center;">68</p> <p>1 Q. And the addresses of all three is the same?</p> <p>2 A. That is correct.</p> <p>3 Q. And what are the positions of Mr. Hallam and</p> <p>4 Mr. Nelson?</p> <p>5 A. It is the same. Chief officer -- Jeff Hallam</p> <p>6 is the chief operating officer, and Rick</p> <p>7 Hallam is the chief strategy officer.</p> <p>8 Q. And does Mr. Daniel Mascaro work at True</p> <p>9 Pedigree Consulting LLC as well?</p> <p>10 A. Yes, he does.</p> <p>11 Q. And what is his position there?</p> <p>12 A. He's also -- holds the same title, which is</p> <p>13 director of supply chain audits or channel</p> <p>14 partner audits.</p> <p>15 Q. Why did you not mention True Pedigree</p> <p>16 Consulting LLC either on your CV or in the</p> <p>17 expert report?</p> <p>18 A. It's -- I look at them as -- as -- as the same</p> <p>19 business. It's just a differentiation in what</p> <p>20 services we're offering through which company.</p> <p>21 So to me, True Pedigree and True Pedigree</p> <p>22 Consulting are almost like sister -- sister</p> <p>23 companies or sister affiliates, and that's why</p> <p>24 I mention True Pedigree holistically.</p>	<p style="text-align: center;">70</p> <p>1 some of the -- some of the partners in the</p> <p>2 company as well who have individual equity</p> <p>3 stack into True Pedigree Consulting as well.</p> <p>4 Q. Mm-hmm.</p> <p>5 MR. BUNIS: Why don't we take a break.</p> <p>6 We've been going on for more than an hour.</p> <p>7 MR. JOFFE: Okay.</p> <p>8 (Discussion off the record)</p> <p>9 (Recess)</p> <p>10 MR. BUNIS: Okay. Before you start, I</p> <p>11 -- on the record. Okay. I just want to point</p> <p>12 out that during the break I was informed that</p> <p>13 Mr. Styler was speaking with the witness --</p> <p>14 attempted to speak with the witness in the</p> <p>15 restroom and instructing him or talking to him</p> <p>16 about his testimony and --</p> <p>17 (Discussion off the record)</p> <p>18 MR. BUNIS: -- and in addition to that,</p> <p>19 I've noted that over the course of the morning</p> <p>20 Mr. Styler has been staring at the witness,</p> <p>21 what appears to me to be an attempt to</p> <p>22 intimidate him and me; and I'm going to ask</p> <p>23 that that stop.</p> <p>24 Certainly you can instruct your client</p>
<p style="text-align: center;">69</p> <p>1 Q. Are there any other companies that are</p> <p>2 cofounded or, you know, headed by you and</p> <p>3 Mr. Hallam and Mr. Nelson --</p> <p>4 A. No.</p> <p>5 Q. -- that you didn't mention?</p> <p>6 A. No, nothing besides these two.</p> <p>7 Q. Just these two?</p> <p>8 A. Yeah.</p> <p>9 Q. Are there any plans for other companies?</p> <p>10 A. We might. If the opportunity presents itself.</p> <p>11 Q. And Sideman would be investing in those</p> <p>12 companies?</p> <p>13 MR. BUNIS: Objections, calls for</p> <p>14 speculation.</p> <p>15 A. Not sure.</p> <p>16 Q. Is the -- are the equity holders in True</p> <p>17 Pedigree Consulting LLC the same as in True</p> <p>18 Pedigree LLC?</p> <p>19 A. More or less the same, yes.</p> <p>20 Q. So that would be the law firm of Sideman &</p> <p>21 Bancroft --</p> <p>22 A. Correct.</p> <p>23 Q. -- Richard Nelson, Jeffrey Hallam, and you?</p> <p>24 A. And me and as I indicated earlier, some --</p>	<p style="text-align: center;">71</p> <p>1 that he's not to talk to the witness at all</p> <p>2 during the course of the entire deposition.</p> <p>3 And if either of those things continue, I'm</p> <p>4 going to ask that Mr. Styler leave the room,</p> <p>5 okay?</p> <p>6 MR. JOFFE: Yeah. I understand your,</p> <p>7 on the record, request.</p> <p>8 Q. Did Mr. Styler attempt to talk to you about</p> <p>9 the depositions -- about your deposition in</p> <p>10 the restroom?</p> <p>11 A. Yes.</p> <p>12 Q. What did he say?</p> <p>13 A. "Say the truth and you'll be fine."</p> <p>14 Q. Did you talk to your counsel during the break?</p> <p>15 MR. BUNIS: Answer that question yes or</p> <p>16 no.</p> <p>17 A. Yes.</p> <p>18 Q. Did you discuss your testimony --</p> <p>19 MR. BUNIS: Don't --</p> <p>20 Q. -- with your counsel?</p> <p>21 MR. BUNIS: Do not -- do not answer the</p> <p>22 question. I'm instructing the witness not to</p> <p>23 answer the question. You know better. It</p> <p>24 calls for attorney/client communication.</p>

<p style="text-align: right;">72</p> <p>1 MR. JOFFE: You know that you're not</p> <p>2 supposed to discuss his testimony.</p> <p>3 MR. BUNIS: I'm fully aware of my</p> <p>4 obligations, as I hope you are, too.</p> <p>5 MR. JOFFE: Okay. Let's resume.</p> <p>6 Q. Mr. Raina, you said that while working at True</p> <p>7 Pedigree, both True Pedigree, you were in</p> <p>8 Austin, Texas, while the company's offices</p> <p>9 were in San Francisco, California and Sideman</p> <p>10 & Bancroft's office --</p> <p>11 A. Yes.</p> <p>12 Q. -- correct?</p> <p>13 And where was Daniel Mascaro's office?</p> <p>14 A. He also works from his home -- home office.</p> <p>15 Q. And where is that?</p> <p>16 A. It's in New Hampshire.</p> <p>17 Q. In New Hampshire. Okay.</p> <p>18 Do you know that Mr. Mascaro used to</p> <p>19 work for HP Brand Security Group.</p> <p>20 A. Yes.</p> <p>21 Q. And do you know that Mr. Mascaro currently</p> <p>22 works as a global investigations director at</p> <p>23 Sideman & Bancroft?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">74</p> <p>1 leaving Cisco --</p> <p>2 A. Yes.</p> <p>3 Q. -- correct?</p> <p>4 And you cofound it with Paul Ortiz?</p> <p>5 A. Correct.</p> <p>6 Q. And how did you know him?</p> <p>7 A. He -- we used to work together at Cisco.</p> <p>8 Q. And your role at Vantage Point Analytics was</p> <p>9 COO?</p> <p>10 A. That's correct.</p> <p>11 Q. And the company is out of business now; is</p> <p>12 that correct?</p> <p>13 A. It is, yeah. It is out of business.</p> <p>14 Q. Does True Pedigree -- withdraw that.</p> <p>15 Is HP a client of True Pedigree?</p> <p>16 A. HP Inc. is a client of True Pedigree.</p> <p>17 Q. Is a client of both, True Pedigree Consulting</p> <p>18 and True Pedigree?</p> <p>19 A. No, just True Pedigree.</p> <p>20 Q. Do you know that Richard Nelson represents HP</p> <p>21 in litigation?</p> <p>22 MR. BUNIS: If you know?</p> <p>23 A. Yes.</p> <p>24 Q. And he currently represents HP in litigation?</p>
<p style="text-align: right;">73</p> <p>1 Q. I think you mentioned that his position is</p> <p>2 full-time at True Pedigree?</p> <p>3 A. No. I --</p> <p>4 Q. No, he's not?</p> <p>5 A. He works for both Sideman & Bancroft and True</p> <p>6 Pedigree.</p> <p>7 Q. And he's getting paid by True Pedigree, as</p> <p>8 well by Sideman & Bancroft?</p> <p>9 A. That is correct.</p> <p>10 Q. Are you getting paid by Sideman & Bancroft?</p> <p>11 A. No.</p> <p>12 Q. And you stopped being paid by Sideman &</p> <p>13 Bancroft at the end of 2017, correct?</p> <p>14 A. That's correct.</p> <p>15 Q. Okay. When you worked at Vantage Point</p> <p>16 Analytics, you said you cofounded the company?</p> <p>17 A. Yes.</p> <p>18 Q. And whom did you cofound it with?</p> <p>19 A. With Paul Ortiz.</p> <p>20 Q. And who was he?</p> <p>21 A. What do you --</p> <p>22 Q. What do you mean?</p> <p>23 A. What do you mean when you say "who was he"?</p> <p>24 Q. You cofounded Vantage Point Analytics after</p>	<p style="text-align: right;">75</p> <p>1 A. He's -- they're the outside counsel, Sideman &</p> <p>2 Bancroft is the outside counsel for HP Inc.</p> <p>3 That is what I know.</p> <p>4 Q. Right. My question was specifically about</p> <p>5 Mr. Nelson.</p> <p>6 A. He is part of that team that supports HP Inc.,</p> <p>7 yes.</p> <p>8 Actually, I would like to clarify</p> <p>9 something.</p> <p>10 Q. Mm-hmm.</p> <p>11 A. I'm -- it's either HP Inc. or HPE. I'm not</p> <p>12 sure currently which one it is. So I just</p> <p>13 want to clarify that.</p> <p>14 Q. Is that in reference to Mr. Nelson?</p> <p>15 A. Yes, Mr. Nelson.</p> <p>16 Q. Okay.</p> <p>17 A. Yeah.</p> <p>18 Q. And -- okay. And as far as Sideman &</p> <p>19 Bancroft, you said Sideman & Bancroft is</p> <p>20 outside counsel --</p> <p>21 A. Outside counsel.</p> <p>22 Q. -- to HPE?</p> <p>23 A. E or HP Inc., but I'm not sure which entity.</p> <p>24 Q. Okay. Could it be for both entities?</p>

<p style="text-align: center;">76</p> <p>1 A. I'm not sure.</p> <p>2 Q. Let me just see. I think I have an exhibit</p> <p>3 that might clarify it.</p> <p>4 MR. JOFFE: It would be -- it's</p> <p>5 Exhibit 20- -- oh, well, sorry. That will be</p> <p>6 a different number.</p> <p>7 Q. There are several documents combined in that</p> <p>8 exhibit.</p> <p>9 (PX Exhibit No. 8, Printout of Dockets</p> <p>10 marked for identification)</p> <p>11 MR. BUNIS: What is it?</p> <p>12 MR. JOFFE: It's several documents that</p> <p>13 are combined to one exhibit, and it's just</p> <p>14 printout of dockets that include Mr. Richard</p> <p>15 Nelson from Sideman & Bancroft as outside</p> <p>16 counsel to HPE and there is litigation. So we</p> <p>17 can check.</p> <p>18 (Discussion off the record)</p> <p>19 MR. BUNIS: I see two dockets and then</p> <p>20 what looks like a decision in a case,</p> <p>21 U.S. v Ashraf --</p> <p>22 MR. JOFFE: Yup.</p> <p>23 MR. BUNIS: -- and then a stipulation</p> <p>24 filed in another case that are all part of</p>	<p style="text-align: center;">78</p> <p>1 Company, HP, next page; do you see that?</p> <p>2 A. Yes. Yeah. Yeah.</p> <p>3 Q. Okay. Thank you.</p> <p>4 And then there is a printout of a legal</p> <p>5 opinion, U.S. versus Ashraf.</p> <p>6 A. Which page is that?</p> <p>7 MR. BUNIS: It looks like this</p> <p>8 (indicating).</p> <p>9 Q. It looks like this (indicating).</p> <p>10 Is that right?</p> <p>11 And you see in the middle of the page</p> <p>12 Mr. Nelson of Sideman & Bancroft representing</p> <p>13 Hewlett-Packard Company?</p> <p>14 MR. BUNIS: I see that you're showing</p> <p>15 him a piece of paper that has -- answer the</p> <p>16 question. Go ahead.</p> <p>17 A. I see his name (indicating).</p> <p>18 Q. As counsel -- outside counsel for</p> <p>19 Hewlett-Packard Company?</p> <p>20 A. My -- my printed version is not -- I think</p> <p>21 yours is -- it's not --</p> <p>22 Q. Oh, yours is not that clear.</p> <p>23 A. Clear, yeah, so --</p> <p>24 Q. I have a better copy of the same thing and</p>
<p style="text-align: center;">77</p> <p>1 what is Exhibit 8.</p> <p>2 MR. JOFFE: Mm-hmm. And the reason</p> <p>3 they're combined is -- the principle they</p> <p>4 combined is just to see whom Mr. Nelson</p> <p>5 represented in those litigations.</p> <p>6 MR. BUNIS: Is there a question?</p> <p>7 Q. Yes. The question is: Do you see on page 1</p> <p>8 of the exhibit Mr. Nelson is listed as outside</p> <p>9 counsel for Hewlett Packard Enterprise</p> <p>10 Company?</p> <p>11 A. I see that.</p> <p>12 Q. Mr. Nelson is also listed as counsel for</p> <p>13 Hewlett-Packard Development Company, LP, on</p> <p>14 the same page.</p> <p>15 A. Yes.</p> <p>16 Q. Yes. And the next docket which is titled</p> <p>17 Hewlett Packard Enterprise Company versus Next</p> <p>18 Gen Technology; do you see that one?</p> <p>19 A. Yes.</p> <p>20 Q. Yes. And Mr. Nelson is listed as outside</p> <p>21 counsel for Hewlett Packard Enterprise</p> <p>22 Company?</p> <p>23 A. Yes.</p> <p>24 Q. As well as for Hewlett Packard Development</p>	<p style="text-align: center;">79</p> <p>1 read it.</p> <p>2 A. Represented by Richard Nelson.</p> <p>3 Q. Okay. So he -- in that case he represents</p> <p>4 Hewlett-Packard Company.</p> <p>5 And then the next one is called</p> <p>6 Stipulated Dismissal of Entire Interaction.</p> <p>7 Mr. Nelson represents HP Inc., as well as</p> <p>8 Hewlett-Packard Development Company, LP; do</p> <p>9 you see that?</p> <p>10 A. Yes.</p> <p>11 Q. So is it fair to say that Mr. Richard Nelson</p> <p>12 is outside counsel for HP Company, HPE, and</p> <p>13 other HP affiliates?</p> <p>14 MR. BUNIS: Objection, calls for a</p> <p>15 legal conclusion. You can answer.</p> <p>16 A. I can say it seems like definitely for HPE. I</p> <p>17 can see that for HPE, yeah.</p> <p>18 Q. Well, not just for HPE. I pointed out and</p> <p>19 asked you about HPE and HP Company, and I</p> <p>20 think we went through the list --</p> <p>21 A. I see HP --</p> <p>22 Q. -- not just HP --</p> <p>23 A. -- Development Company.</p> <p>24 Q. Yeah.</p>

<p style="text-align: right;">80</p> <p>1 A. Yes.</p> <p>2 Q. We also mentioned Hewlett-Packard Company?</p> <p>3 A. I don't see that. I did see H -- Hewlett</p> <p>4 Packard Enterprise Company and HP Development</p> <p>5 Company.</p> <p>6 Q. Okay.</p> <p>7 A. Those are the two that I see.</p> <p>8 Q. Well, let's then go back for a second. The</p> <p>9 first page lists here him as a counsel to</p> <p>10 Hewlett Packard Enterprise?</p> <p>11 A. I see that.</p> <p>12 Q. Yeah. Or -- which is HPE?</p> <p>13 A. Yup.</p> <p>14 Q. Then there was Hewlett-Packard Development</p> <p>15 Company, LP --</p> <p>16 A. Yes.</p> <p>17 Q. -- in the same case?</p> <p>18 In another case, which as I showed you</p> <p>19 this printout (indicating) --</p> <p>20 A. Mm-hmm.</p> <p>21 Q. -- it was Hewlett-Packard Company?</p> <p>22 I can show you it again.</p> <p>23 A. I see it.</p> <p>24 Q. Yeah.</p>	<p style="text-align: right;">82</p> <p>1 accurate. The witness is not a lawyer; and</p> <p>2 then you've asked him a question, correct,</p> <p>3 about whether he's aware of certain legal</p> <p>4 reputations by an individual who's a lawyer</p> <p>5 and certain entities? I don't believe this</p> <p>6 witness is qualified to answer those</p> <p>7 questions; but to the extent he can, go ahead</p> <p>8 and answer the question.</p> <p>9 MR. JOFFE: This is a wholly improper</p> <p>10 speaking objection. We've looked at this</p> <p>11 document not to establish whether Mr. Nelson</p> <p>12 represents him, we wanted to look at them to</p> <p>13 see which specific companies he represented,</p> <p>14 because Mr. Raina agreed that Mr. Nelson is</p> <p>15 outside counsel for one of the HP companies;</p> <p>16 and he mentioned it was HPE, correct, and we</p> <p>17 decided to look and see if there were other</p> <p>18 HP entities that Mr. Nelson represented. That</p> <p>19 was all the extent of my last line of</p> <p>20 questioning.</p> <p>21 Q. So would you agree that Mr. Nelson, just based</p> <p>22 on the document that I showed you, represented</p> <p>23 HPE, HPI, Hewlett-Packard Company, and</p> <p>24 Hewlett-Packard Development Company?</p>
<p style="text-align: right;">81</p> <p>1 A. HP Company.</p> <p>2 Q. Yeah.</p> <p>3 A. Yeah.</p> <p>4 Q. And the last one Mr. Nelson is listed on the</p> <p>5 top as counsel to HP Inc.?</p> <p>6 A. HP Inc., yeah.</p> <p>7 Q. Okay. And also Hewlett-Packard Development</p> <p>8 Company. So my question is: Do you agree</p> <p>9 that Mr. Nelson represents HPE, HPI,</p> <p>10 represented Hewlett-Packard Company, and at</p> <p>11 least one of the other affiliate,</p> <p>12 Hewlett-Packard Development Company?</p> <p>13 MR. BUNIS: I'm going to object.</p> <p>14 You're showing the witness, who's not a</p> <p>15 lawyer, random pieces of paper, which you</p> <p>16 purport to be some printouts of some documents</p> <p>17 which have words on them.</p> <p>18 MR. JOFFE: This is --</p> <p>19 MR. BUNIS: Let me --</p> <p>20 MR. JOFFE: -- a speaking objection.</p> <p>21 MR. BUNIS: Let me finish. I think</p> <p>22 it's important, because we want to make sure</p> <p>23 the witness's testimony is accurate and the</p> <p>24 documents you put in front of him are</p>	<p style="text-align: right;">83</p> <p>1 MR. BUNIS: Objection, calls for a</p> <p>2 legal conclusion. You can answer.</p> <p>3 A. Yes.</p> <p>4 Q. Okay. Thank you. You can put that aside.</p> <p>5 Did Mr. Nelson review your report?</p> <p>6 A. No.</p> <p>7 Q. Did Mr. Hallam review your report?</p> <p>8 A. No.</p> <p>9 Q. Did Mr. Mascaro review your report?</p> <p>10 A. No.</p> <p>11 Q. And you didn't share your report with them --</p> <p>12 with either of them --</p> <p>13 A. That's correct.</p> <p>14 Q. -- did you?</p> <p>15 And who within True Pedigree</p> <p>16 contributed to this report, other than you?</p> <p>17 A. I'm sorry. Say that --</p> <p>18 Q. Who within True Pedigree contributed to your</p> <p>19 report?</p> <p>20 MR. BUNIS: Objection. Contribute?</p> <p>21 MR. JOFFE: Commented, reviewed,</p> <p>22 edited.</p> <p>23 MR. BUNIS: Okay. So let's go it</p> <p>24 again. Do you want to --</p>

<p style="text-align: right;">84</p> <p>1 MR. JOFFE: Yeah.</p> <p>2 MR. BUNIS: Do you want to repeat it?</p> <p>3 MR. JOFFE: Yeah.</p> <p>4 Q. Who --</p> <p>5 MR. BUNIS: Why don't you restate the</p> <p>6 question.</p> <p>7 MR. JOFFE: Yeah.</p> <p>8 Q. Would in -- if anyone, at True Pedigree</p> <p>9 contributed to your report?</p> <p>10 MR. BUNIS: Objection.</p> <p>11 Q. You may answer.</p> <p>12 A. Just myself (indicating).</p> <p>13 Q. Okay. That was easy.</p> <p>14 Did you share your report with -- a</p> <p>15 draft report with counsel?</p> <p>16 A. When you say "counsel," can you --</p> <p>17 Q. Counsel, the counsel who retained you.</p> <p>18 A. So I have --</p> <p>19 MR. BUNIS: Wait. Hold on. You can</p> <p>20 answer that yes or no. I want to be careful</p> <p>21 here, because I don't want the witness to</p> <p>22 reveal any attorney/client communications. So</p> <p>23 the question is: Did you share a draft of the</p> <p>24 report with counsel, correct?</p>	<p style="text-align: right;">86</p> <p>1 just instructed the witness how to answer the</p> <p>2 -- my yes. Who is testifying here? I would</p> <p>3 like the witness to testify. You're</p> <p>4 testifying for him repeatedly. You know, this</p> <p>5 is a sanctionable conduct. You cannot make</p> <p>6 speaking objection, and you cannot testify for</p> <p>7 a witness.</p> <p>8 You're doing it repeatedly and you're</p> <p>9 putting words in his mouth, literally. You</p> <p>10 just told him now how to answer the question.</p> <p>11 MR. BUNIS: Your -- Dimitry, your</p> <p>12 question called for a potential for the</p> <p>13 witness to reveal improper attorney/client</p> <p>14 privileged communications.</p> <p>15 MR. JOFFE: It did not ask if you</p> <p>16 received comments from counsel.</p> <p>17 MR. BUNIS: I'm --</p> <p>18 MR. JOFFE: It didn't does ask the</p> <p>19 substance of the comments. It asked for the</p> <p>20 fact, whether you received comments from</p> <p>21 counsel.</p> <p>22 MR. BUNIS: I'm going to wait until you</p> <p>23 finish, and I'd ask that you wait until I</p> <p>24 finish.</p>
<p style="text-align: right;">85</p> <p>1 MR. JOFFE: Yes, Michael. That was the</p> <p>2 question.</p> <p>3 MR. BUNIS: So you can answer it yes or</p> <p>4 no.</p> <p>5 MR. JOFFE: And you keep making</p> <p>6 speaking objections. You know, it's wholly</p> <p>7 improper; and I've warned you, not the first</p> <p>8 time, on the record, if you have to make an</p> <p>9 objection, just say objection, and then you</p> <p>10 may say form or whatever the basis for the</p> <p>11 objection. I ask you not to making speaking</p> <p>12 objection for the second or third time</p> <p>13 already.</p> <p>14 I'm sorry. Could you read back the</p> <p>15 last question?</p> <p>16 (Question read)</p> <p>17 MR. BUNIS: And the instruction is yes</p> <p>18 or no?</p> <p>19 A. Yes.</p> <p>20 Q. Did you receive any comments from counsel?</p> <p>21 MR. BUNIS: Yes or no?</p> <p>22 A. Yes.</p> <p>23 MR. JOFFE: Michael, would you please</p> <p>24 stop it. That was not even objection. You</p>	<p style="text-align: right;">87</p> <p>1 The balance of what I was going to say</p> <p>2 to you is that my instruction to him is wholly</p> <p>3 proper, given your question. So I think it's</p> <p>4 completely fair; and if you'd like to take it</p> <p>5 up with the Judge, I'm more than happy to call</p> <p>6 him.</p> <p>7 MR. JOFFE: well, we're on the record</p> <p>8 on that.</p> <p>9 Q. But when I ask the question like this, whether</p> <p>10 you received the comments or not, that's</p> <p>11 really call for yes or no. I'm not trying to</p> <p>12 ask you about the substance of your</p> <p>13 communication with counsel. I'm just trying</p> <p>14 to figure out the fact, whether the counsel</p> <p>15 provided comments to the report?</p> <p>16 MR. BUNIS: Is there a question there?</p> <p>17 MR. JOFFE: There was --</p> <p>18 MR. BUNIS: What was the question?</p> <p>19 MR. JOFFE: -- until you --</p> <p>20 Q. Did you obtain comments from counsel?</p> <p>21 MR. BUNIS: He answered the question.</p> <p>22 A. I said yes.</p> <p>23 Q. Okay. Did you incorporate the comments in</p> <p>24 your report?</p>

<p style="text-align: right;">88</p> <p>1 MR. BUNIS: Objection. Incorporate?</p> <p>2 Q. Did you include counsel's comments in your</p> <p>3 report?</p> <p>4 A. I'm not sure if I --</p> <p>5 MR. BUNIS: Okay. Again, this is a yes</p> <p>6 or no; and I -- this is exactly the reason why</p> <p>7 I instruct the witness as such. If you can</p> <p>8 answer the question yes or no, answer it. If</p> <p>9 you can, answer the question.</p> <p>10 Q. Can you answer the question whether you</p> <p>11 include counsel's comments in your report?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. Let's take a look at the next section</p> <p>14 in your report, which is -- well, let me ask</p> <p>15 you this. Who determined the scope of the --</p> <p>16 your inspection of the equipment?</p> <p>17 A. When you say "the scope," can you clarify what</p> <p>18 that -- what do you mean by that?</p> <p>19 Q. Okay. Well, you were asked to determine</p> <p>20 whether the equipment is, in fact,</p> <p>21 counterfeit, correct?</p> <p>22 A. Correct.</p> <p>23 Q. And then you went about inspecting the</p> <p>24 equipment for some qualities --</p>	<p style="text-align: right;">90</p> <p>1 A. So I would like to bring your attention to</p> <p>2 page No. 15 and starting from Paragraph</p> <p>3 No. 42 --</p> <p>4 Q. Mm-hmm.</p> <p>5 A. -- on how I went about --</p> <p>6 Q. Okay.</p> <p>7 A. -- inspecting the products; and if you want, I</p> <p>8 can read it out, but that's essentially how I</p> <p>9 went about inspecting the products.</p> <p>10 Q. Mm-hmm. So I think you've even described it</p> <p>11 in more detail -- yeah. You -- in 53 as well.</p> <p>12 You said that your colleague took one device</p> <p>13 at a time and then took pictures of the</p> <p>14 device, correct? 53 -- Paragraph 53. It's on</p> <p>15 page 15.</p> <p>16 MR. BUNIS: Paragraph 53?</p> <p>17 Q. 43.</p> <p>18 A. Paragraph --</p> <p>19 Q. 43. I'm sorry.</p> <p>20 A. Yes, I'm sorry. What was your question?</p> <p>21 Q. Yeah.</p> <p>22 A. Yeah.</p> <p>23 Q. You said that your colleague took one device</p> <p>24 at a time, took pictures of the device, and</p>
<p style="text-align: right;">89</p> <p>1 A. Yes.</p> <p>2 Q. -- that will determine whether it's</p> <p>3 counterfeit or not?</p> <p>4 And my question is: Who decided on the</p> <p>5 scope of what you would investigate and which</p> <p>6 features or qualities of the inspection -- of</p> <p>7 the equipment you would not investigate?</p> <p>8 MR. BUNIS: Can you hold on a second.</p> <p>9 Can you read back that question, please?</p> <p>10 (Question)</p> <p>11 MR. BUNIS: Objection, compound</p> <p>12 question. You can answer if you can.</p> <p>13 A. So I was asked to analyze the products and</p> <p>14 determine if they were genuine or counterfeit.</p> <p>15 I used my own testing methodology, based on my</p> <p>16 years of experience in essentially analyzing</p> <p>17 products like transceivers to determine if the</p> <p>18 product was count- -- counterfeit or genuine.</p> <p>19 Q. Okay. And can you describe to me how you</p> <p>20 examined the transceivers?</p> <p>21 A. Sure. So the transceivers, if you -- if -- if</p> <p>22 I might --</p> <p>23 Q. Yes, of course.</p> <p>24 MR. BUNIS: Take your time.</p>	<p style="text-align: right;">91</p> <p>1 then they would be downloaded on your laptop,</p> <p>2 correct?</p> <p>3 A. The pictures were downloaded, yes.</p> <p>4 Q. And that colleague that you refer to is</p> <p>5 Daniel Mascaro?</p> <p>6 A. That is correct.</p> <p>7 Q. Okay. So did you actually inspect the</p> <p>8 transceivers yourself, visually?</p> <p>9 A. Yes.</p> <p>10 Q. You looked at the transceivers?</p> <p>11 A. Yes.</p> <p>12 Q. And then you scanned the 1D and 2D barcodes?</p> <p>13 A. That is correct.</p> <p>14 Q. And you recorded the EEPROM data --</p> <p>15 A. That is correct.</p> <p>16 Q. -- correct?</p> <p>17 Did you inspect the holographic logos</p> <p>18 from the transceivers.</p> <p>19 A. I did not.</p> <p>20 Q. Why not?</p> <p>21 A. The reason for that being that in my years of</p> <p>22 experience in analyzing such products the only</p> <p>23 way to conclusively determine if a product, if</p> <p>24 a transceiver product is genuine or</p>

<p style="text-align: center;">92</p> <p>1 counterfeit, is by doing a thorough forensic</p> <p>2 analysis of the product.</p> <p>3 Q. And then in your opinion, holographic logos</p> <p>4 are not relevant to the counterfeit</p> <p>5 determination?</p> <p>6 A. Not in my experience, no.</p> <p>7 Q. So if a transceiver carries a fake logo, you</p> <p>8 would call the transceiver authentic or fake?</p> <p>9 MR. BUNIS: Objection, compound</p> <p>10 question.</p> <p>11 A. Again, as I said, in order to conclusively</p> <p>12 determine if a product is genuine or</p> <p>13 counterfeit, my testing methodology would</p> <p>14 recommend doing a thorough forensic analysis</p> <p>15 of the product.</p> <p>16 Q. And that total forensic analysis, according to</p> <p>17 your methodology, excludes holographic logos?</p> <p>18 A. I use that as a data point; but it is nice to</p> <p>19 have, but not necessarily what I base my</p> <p>20 findings on.</p> <p>21 Q. When you say you used that as a data point in</p> <p>22 this analysis or this --</p> <p>23 A. I did not.</p> <p>24 Q. Did you use it as a data point in previous</p>	<p style="text-align: center;">94</p> <p>1 A. No. My methodology and my years of experience</p> <p>2 is that for you to conclusively determine if</p> <p>3 the product is genuine or counterfeit, you</p> <p>4 have to do a forensic analysis of the product.</p> <p>5 You have to look at multiple data points in</p> <p>6 reaching that conclusion. And that's what I</p> <p>7 did.</p> <p>8 Q. If you knew that the characteristics of</p> <p>9 holographic logos, in this case, wouldn't you</p> <p>10 use it as a data point?</p> <p>11 A. No. I would -- it would be nice to have</p> <p>12 information, for me; but I would, at the end</p> <p>13 of the day, rely on the analysis of the</p> <p>14 product itself, as I read it in my report, the</p> <p>15 steps that I go through to determine the</p> <p>16 product is genuine or counterfeit.</p> <p>17 Q. Mm-hmm.</p> <p>18 A. I would not rely on just the holographic label</p> <p>19 to determine if a product is genuine or</p> <p>20 counterfeit.</p> <p>21 Q. If a transceiver has a fake holographic logo</p> <p>22 on it, would that mean that the transceiver is</p> <p>23 counterfeit?</p> <p>24 Please say it on the record.</p>
<p style="text-align: center;">93</p> <p>1 analysis of other products?</p> <p>2 A. As a data point, yes, just to collect</p> <p>3 information and know what the design of the</p> <p>4 holographic label is.</p> <p>5 Q. And why didn't you use it as a data point in</p> <p>6 this inspection?</p> <p>7 A. I asked for information on the holographic</p> <p>8 labels; and I was told that there was no</p> <p>9 information, no document that would explain</p> <p>10 the features of the holographic label.</p> <p>11 Q. Whom did you ask?</p> <p>12 A. HP.</p> <p>13 Q. Whom at HP did you ask?</p> <p>14 A. I think I asked that question, if I remember</p> <p>15 correctly, through the counsel here.</p> <p>16 Q. And you were told that there is no document</p> <p>17 that could explain the features of holographic</p> <p>18 logos?</p> <p>19 A. Yes.</p> <p>20 Q. In general, do you agree that a fake logo is</p> <p>21 an indicator of counterfeiting?</p> <p>22 A. No.</p> <p>23 Q. In your opinion, a fake holographic logo is</p> <p>24 not an indicator counterfeiting?</p>	<p style="text-align: center;">95</p> <p>1 A. No.</p> <p>2 Q. You need to verbalize it so the reporter can</p> <p>3 take it down.</p> <p>4 A. No. No. Again, I would analyze the product.</p> <p>5 Q. Okay. Yeah. So if you had a transceiver with</p> <p>6 a fake holographic logo, you would -- and</p> <p>7 other data in your analysis says it's</p> <p>8 authentic, you would call it authentic?</p> <p>9 MR. BUNIS: Objection. You can answer.</p> <p>10 A. I -- I would like you to say that question</p> <p>11 again.</p> <p>12 Q. If you have in front of you a transceiver and</p> <p>13 you know -- in this hypothetical of ours you</p> <p>14 know the transceiver has a fake holographic</p> <p>15 log on it, would you call that transceiver</p> <p>16 fake?</p> <p>17 MR. BUNIS: Objection. You can answer.</p> <p>18 A. I -- as I said, again, my methodology just</p> <p>19 focuses on analyzing the product, a thorough</p> <p>20 forensic analysis of the product, not just the</p> <p>21 label, a thorough forensic analysis of the</p> <p>22 product to determine if the product is genuine</p> <p>23 or counterfeit.</p> <p>24 Q. You just said "not just the label," but</p>

<p style="text-align: center;">96</p> <p>1 there's no -- in fact, your analysis did not</p> <p>2 include label information at all?</p> <p>3 A. It did not.</p> <p>4 Q. No. So my question is simple and it calls for</p> <p>5 a yes or no answer. If a transceiver has a</p> <p>6 counterfeit holographic logo on it, would you</p> <p>7 consider that transceiver authentic?</p> <p>8 A. It depends on what my product analysis --</p> <p>9 Q. Is there any facts --</p> <p>10 MR. BUNIS: Let the witness --</p> <p>11 MR. JOFFE: Yeah.</p> <p>12 MR. BUNIS: You got to let the witness</p> <p>13 finish his testimony. Go ahead, you can</p> <p>14 finish.</p> <p>15 A. Yeah. My final determination is going to be</p> <p>16 based on the analysis of the product.</p> <p>17 Q. Right. So just the fact that the transceiver</p> <p>18 carries a counterfeit logo would not lead you</p> <p>19 to a conclusion that the transceiver is</p> <p>20 counterfeit?</p> <p>21 A. That is correct.</p> <p>22 Q. But there is a possibility that a transceiver</p> <p>23 carrying counterfeit logo could be authentic?</p> <p>24 A. I'm -- again, can you repeat that question</p>	<p style="text-align: center;">98</p> <p>1 647 transceivers contains a unique serial</p> <p>2 number is itself evidence that they are all</p> <p>3 authentic"; do you see that?</p> <p>4 MR. BUNIS: Take your time and read</p> <p>5 that.</p> <p>6 A. I see that, yes.</p> <p>7 Q. So this is one fact?</p> <p>8 A. One of many facts, yes.</p> <p>9 Q. Well, no, no, no. Your statement here</p> <p>10 actually starts with "Importantly," the mere</p> <p>11 fact that every one has a unique serial number</p> <p>12 is itself evidence that they're authentic,</p> <p>13 right?</p> <p>14 A. So my -- my analysis was holistic and looked</p> <p>15 at multiple data points. And I would like to</p> <p>16 explain as to what that was. So if you can</p> <p>17 give me a minute, I will point you to that</p> <p>18 paragraph in the document.</p> <p>19 So I'd like to bring your attention to</p> <p>20 Paragraph No. 52 --</p> <p>21 Q. Okay.</p> <p>22 A. -- on page 18, which says, "First, if all of</p> <p>23 the following conditions were true, the</p> <p>24 transceiver was presumptively authentic."</p>
<p style="text-align: center;">97</p> <p>1 again?</p> <p>2 Q. Yes. So the transceiver with counterfeit logo</p> <p>3 under your analysis could be authentic?</p> <p>4 MR. BUNIS: Objection. His analysis --</p> <p>5 I'm not -- are you talk- --</p> <p>6 Q. Your methodology?</p> <p>7 MR. BUNIS: I just want to distinguish</p> <p>8 between this analysis and what you -- the</p> <p>9 question you're posing.</p> <p>10 MR. JOFFE: Yeah.</p> <p>11 Q. For this analysis, if some of the transceivers</p> <p>12 or one of the transceivers is shown to carry a</p> <p>13 holographic -- counterfeit holographic label,</p> <p>14 would you still determine that the transceiver</p> <p>15 is authentic?</p> <p>16 A. I would go through my methodology and purely</p> <p>17 base my determination on my methodology, which</p> <p>18 does not include analysis of the holographic</p> <p>19 label; and I would definitely not say that a</p> <p>20 product is counterfeit just based on one data</p> <p>21 point, that data point being the holographic</p> <p>22 label.</p> <p>23 Q. Well, in Paragraph 67 of your report you say</p> <p>24 that "the mere fact that every one of the</p>	<p style="text-align: center;">99</p> <p>1 The first one being that "the serial</p> <p>2 number printed on the label matched the serial</p> <p>3 number encoded in the 1D barcode; and the</p> <p>4 serial number printed on the label matched the</p> <p>5 serial number read from the EEPROM; and the</p> <p>6 serial number printed on the label did not</p> <p>7 match the serial number printed on the label</p> <p>8 of any other unit of seized equipment; and"</p> <p>9 lastly, "wherever applicable, the 2D barcode</p> <p>10 scan matched the alphanumeric string printed</p> <p>11 next to it."</p> <p>12 So I looked at all of these four data</p> <p>13 points to reach a conclusion on whether the</p> <p>14 product was genuine or counterfeit.</p> <p>15 Q. Okay. And the holographic logo is not listed</p> <p>16 among any of those criteria, correct?</p> <p>17 A. That is correct.</p> <p>18 Q. So the four bullet points refer to the serial</p> <p>19 numbers printed on the label read from the</p> <p>20 EEPROM or from the barcode, correct?</p> <p>21 MR. BUNIS: Objection, misstates his</p> <p>22 testimony. You may answer.</p> <p>23 A. Yes. Includes that, yes.</p> <p>24 Q. And then in Paragraph 67 you said the mere</p>

<p style="text-align: center;">100</p> <p>1 fact that every one of the transceivers</p> <p>2 contained a unique serial number is itself</p> <p>3 evidence that they are all authentic, correct?</p> <p>4 A. Yeah. So that was on top of the -- the four</p> <p>5 criterias that I outlined. The reason I</p> <p>6 captured that was because counterfeiters --</p> <p>7 and I would like to actually read this off my</p> <p>8 report as well, which is actually Paragraph</p> <p>9 No. 67:</p> <p>10 "As I explained above, counterfeiters</p> <p>11 typically copy and paste serial numbers across</p> <p>12 large batches of their counterfeit</p> <p>13 transceivers. The likelihood that this set of</p> <p>14 647 transceivers -- or, indeed, the entire</p> <p>15 inventory list of 3,370 transceivers -</p> <p>16 consists solely of unique serial numbers</p> <p>17 created by one or" more -- "one or many</p> <p>18 (unidentified) counterfeiters would be</p> <p>19 vanishingly small. And the likelihood that</p> <p>20 every one of those unique serial numbers would</p> <p>21 be perfectly replicated within each individual</p> <p>22 transceiver, with no anomalies, is -- in my</p> <p>23 opinion and experience -- zero."</p> <p>24 Q. Well, can you explain what you do you mean by</p>	<p style="text-align: center;">102</p> <p>1 products. Such serial repetition would never</p> <p>2 happen on genuine products."</p> <p>3 Q. Yes, I understand that. But I'm not asking</p> <p>4 you about whether the serial numbers could be</p> <p>5 repeated. I'm asking you whether there could</p> <p>6 be a transceiver that is counterfeit, but if</p> <p>7 the -- but the serial numbers on its label, on</p> <p>8 the barcode, and EEPROM data will match?</p> <p>9 MR. BUNIS: Can you just repeat the</p> <p>10 question for me, so I can hear it again?</p> <p>11 (Question read)</p> <p>12 MR. BUNIS: Objection, hypothetical.</p> <p>13 You can answer if you understand the question.</p> <p>14 A. I'm not sure I understand the question. But</p> <p>15 my response is going to be that as the</p> <p>16 methodology that I explained prior to you, I'm</p> <p>17 not looking at a single data point to make a</p> <p>18 conclusive determination of whether the</p> <p>19 product is genuine or counterfeit; and that's</p> <p>20 exactly the reason why I would just not be</p> <p>21 looking at the holographic label to make a</p> <p>22 determination, you know, solely the</p> <p>23 holographic label to make a determination if a</p> <p>24 product is genuine or -- or counterfeit.</p>
<p style="text-align: center;">101</p> <p>1 that the likelihood of those serial -- unique</p> <p>2 serial numbers replicated within each</p> <p>3 transceiver is zero? Does it mean that you</p> <p>4 cannot find a transceiver with perfectly</p> <p>5 replicated individual unique serial numbers on</p> <p>6 it that would be counterfeit?</p> <p>7 A. Can you repeat that question again --</p> <p>8 Q. Yeah.</p> <p>9 A. -- please?</p> <p>10 Q. Would there be a transceiver that is</p> <p>11 counterfeit that replicates all the serial</p> <p>12 numbers?</p> <p>13 A. And -- and that is true, and that is the</p> <p>14 point. And I would like to, again, refer to</p> <p>15 my report, if you can give me a minute.</p> <p>16 So I would like to bring your attention</p> <p>17 to Paragraph No. 71.</p> <p>18 Q. Mm-hmm.</p> <p>19 A. And specifically the last bullet, it says,</p> <p>20 "Finally -- and importantly -- six transceivers</p> <p>21 in this batch of 28 contained duplicative</p> <p>22 serial numbers in their EEPROM data.</p> <p>23 'P9N0V9M' was read from four products while</p> <p>24 "P9N0V17M' was from two" product -- two</p>	<p style="text-align: center;">103</p> <p>1 My goal is to look at it holistically,</p> <p>2 because in my years of experience, I've</p> <p>3 understood how counterfeiters work. And --</p> <p>4 that is the reason why it is important for me,</p> <p>5 as I analyze the product, to first ensure that</p> <p>6 the serial number redundancy that you talked</p> <p>7 about is there, which is the serial number on</p> <p>8 the product matches the serial number in -- on</p> <p>9 the 1D barcode; and it also matches the serial</p> <p>10 number in the EEPROM. But my analysis just</p> <p>11 does not look at just that one data point. I</p> <p>12 have to look at it holistically.</p> <p>13 So for these products I also have to</p> <p>14 look at the fact that wherever there was a 2D</p> <p>15 barcode present on the barcodes, then that 2D</p> <p>16 barcode also matched the alphanumeric string</p> <p>17 that was printed next to it. Counterfeiters</p> <p>18 do not have the infracture or the know-how.</p> <p>19 So in many cases, in the counterfeited product</p> <p>20 they use the same serial number across</p> <p>21 multiple products. And -- and the fact that</p> <p>22 for all the products that were determined to</p> <p>23 be genuine based on my particular methodology</p> <p>24 also did not have a single serial number that</p>

<p style="text-align: center;">104</p> <p>1 was repeated in the 647 products that were</p> <p>2 determined to be genuine also further</p> <p>3 substantiates the fact that these are, in</p> <p>4 deed, genuine transceivers.</p> <p>5 On the other hand, as I've pointed out,</p> <p>6 and I'll bring your attention to the document</p> <p>7 here again -- so if I could bring your</p> <p>8 attention to page No. 22, following the same</p> <p>9 methodology and the various data points that I</p> <p>10 looked at holistically to determine if the</p> <p>11 product is genuine or counterfeit, I use that</p> <p>12 same methodology, nothing different for the</p> <p>13 products that I analyzed in Bag No. 16. And</p> <p>14 as I state in Paragraph 71, and I'll read this</p> <p>15 off, "But there are also" -- I'm sorry. I</p> <p>16 will start with Paragraph No. 70.</p> <p>17 "For each of the 28 transceivers in Bag</p> <p>18 No. 16, the serial number on the product label</p> <p>19 did not" I repeat that again -- "did not match</p> <p>20 the serial number recorded in the EEPROM.</p> <p>21 This alone indicates counterfeiting because</p> <p>22 genuine OEM products would never have such a</p> <p>23 mismatch." But besides that, as I state in</p> <p>24 Paragraph No. 71, my goal is to capture as</p>	<p style="text-align: center;">106</p> <p>1 began with 'BP' or 'EX,'" correct?</p> <p>2 A. Yes.</p> <p>3 Q. Yes. And when you said, "As noted above," you</p> <p>4 probably noted above somewhere else. I think</p> <p>5 it's also in Paragraph 58.</p> <p>6 A. That is correct.</p> <p>7 Q. Is it correct --</p> <p>8 A. Yes.</p> <p>9 Q. -- where you refer to "Appendix A, Units on</p> <p>10 Inventory List"?</p> <p>11 A. So I -- so I'll read Paragraph 58.</p> <p>12 Q. No. You don't need to read the whole thing.</p> <p>13 A. Yeah. It's the second sentence in that</p> <p>14 paragraph --</p> <p>15 Q. Yeah.</p> <p>16 A. -- which states the reference that I just made</p> <p>17 which is --</p> <p>18 Q. Yeah.</p> <p>19 A. Yes.</p> <p>20 Q. It says that, for each transceiver, the</p> <p>21 printed serial number begin with BP or EX for</p> <p>22 all products analyzed, correct?</p> <p>23 A. Yes, that's correct.</p> <p>24 Q. Yeah. Okay. Well, I would like to show you</p>
<p style="text-align: center;">105</p> <p>1 many data points as possible for me to have a</p> <p>2 high degree of confidence to state that a</p> <p>3 given product is counterfeit or genuine.</p> <p>4 So as I state in Paragraph No. 71, "But</p> <p>5 there are also numerous other indicators of</p> <p>6 counterfeiting for the 28 transceivers in Bag</p> <p>7 No. 16." The first one being, "Approximately</p> <p>8 half of these products did not follow the</p> <p>9 serial number nomenclature for genuine</p> <p>10 products. For example, one device had a</p> <p>11 printed serial number of '100044061421' while</p> <p>12 the EEPROM serial number was 'P9N0V27M'. As</p> <p>13 noted above, the serial numbers on all of the</p> <p>14 authentic transceivers began with 'BP' or</p> <p>15 'EX.' (The remaining 13 transceivers in Bag</p> <p>16 No. 16 did follow the 'BP' nomenclature, but</p> <p>17 otherwise failed my authenticity tests, as</p> <p>18 noted above and below.)"</p> <p>19 Q. May I just ask you a question about this</p> <p>20 paragraph --</p> <p>21 A. Sure.</p> <p>22 Q. -- that you just read; and in particular,</p> <p>23 where it says, "As noted above, the serial</p> <p>24 numbers on all of the authentic transceivers</p>	<p style="text-align: center;">107</p> <p>1 Appendix 8 to your report, which is a</p> <p>2 spreadsheet.</p> <p>3 MR. JOFFE: This is the next exhibit.</p> <p>4 (PX Exhibit No. 9, Spreadsheet marked</p> <p>5 for identification)</p> <p>6 MR. BUNIS: Can I?</p> <p>7 MR. JOFFE: Yeah.</p> <p>8 MR. BUNIS: Thank you.</p> <p>9 Q. And the first several pages are all in green</p> <p>10 and are printed off the tab called Units on</p> <p>11 the Inventory List.</p> <p>12 A. That -- yeah.</p> <p>13 Q. Yeah.</p> <p>14 A. These are all the first half, yes.</p> <p>15 Q. Yeah. And I want you to look at the last page</p> <p>16 of that -- sorry -- next to last page of that</p> <p>17 spreadsheet. Did you get that page?</p> <p>18 A. Yes.</p> <p>19 Q. Can you tell me what's the serial number that</p> <p>20 is three lines from the bottom?</p> <p>21 A. It's A0151060 --</p> <p>22 THE STENOGRAPHER: I'm sorry. Can you</p> <p>23 say it again.</p> <p>24 A. Okay. Sorry.</p>

<p style="text-align: right;">108</p> <p>1 Q. You can just tell me the first two.</p> <p>2 A. A0.</p> <p>3 Q. Okay. And the next one up?</p> <p>4 A. A0.</p> <p>5 Q. Okay. And do you see there are several of</p> <p>6 those serial numbers that starts with A0?</p> <p>7 A. Yes.</p> <p>8 Q. And those transceivers are determined to be</p> <p>9 genuine?</p> <p>10 A. That is correct.</p> <p>11 Q. Okay. So I want to ask you whether your</p> <p>12 statement that all authentic transceivers</p> <p>13 began with either BP or EX is correct?</p> <p>14 A. Yeah. It should mention A0 as well.</p> <p>15 Q. I'm asking you whether your statement that the</p> <p>16 serial numbers on all of the authentic</p> <p>17 transceivers began with BP or EX; is that a</p> <p>18 correct statement?</p> <p>19 A. Can you please refer to the paragraph?</p> <p>20 Q. 71, Bullet Point 1.</p> <p>21 A. That would not be a correct statement.</p> <p>22 Q. That is mistaken?</p> <p>23 A. Yeah.</p> <p>24 Q. I want you to take a look at the next tab,</p>	<p style="text-align: right;">110</p> <p>1 you listed in Paragraph 70, the first bullet</p> <p>2 point isn't correct; would you agree?</p> <p>3 A. No. That -- if you can repeat the question</p> <p>4 for me, please.</p> <p>5 Q. Okay. Bullet Point 1 in Paragraph 71 states</p> <p>6 that "the serial numbers on all of the</p> <p>7 authentic transceivers began with BP or EX";</p> <p>8 do you see that statement?</p> <p>9 A. Yes, I do.</p> <p>10 Q. Yes. And I want you to let me know if, after</p> <p>11 reviewing the serial numbers of genuine</p> <p>12 transceivers in Appendix A to your report, you</p> <p>13 agree that this statement is false?</p> <p>14 A. If you don't mind, let me read through this --</p> <p>15 Q. Of course.</p> <p>16 A. -- carefully and --</p> <p>17 Q. Yes.</p> <p>18 A. -- then I'll respond to you.</p> <p>19 Yes. If you could -- I'm sorry. If</p> <p>20 you could go ahead and repeat the question.</p> <p>21 Q. My question is: The statement in Paragraph 71</p> <p>22 of your expert report that lists are</p> <p>23 indicators of counterfeiting says in Bullet 1</p> <p>24 -- Bullet Point 1 that the serial number --</p>
<p style="text-align: right;">109</p> <p>1 which is printed off Units Not on Inventory</p> <p>2 List.</p> <p>3 A. Mm-hmm.</p> <p>4 Q. Do you see those are printed in green,</p> <p>5 referring to be genuine?</p> <p>6 A. Yes.</p> <p>7 Q. Yes. Could you tell me what the serial</p> <p>8 numbers begin with on those genuine</p> <p>9 transceivers?</p> <p>10 Let's start with the first one. Just</p> <p>11 tell me the first two letters.</p> <p>12 A. 9X.</p> <p>13 Q. And the next one?</p> <p>14 A. Is UG.</p> <p>15 Q. And the next?</p> <p>16 A. Is UH.</p> <p>17 Q. And the next?</p> <p>18 A. Is 03.</p> <p>19 Q. We can go on, but would you agree with me that</p> <p>20 100 or 30 transceivers listed there are listed</p> <p>21 as genuine and they do not necessarily begin</p> <p>22 with BP or EX?</p> <p>23 A. That is correct.</p> <p>24 Q. Okay. So the indicator counterfeiting that</p>	<p style="text-align: right;">111</p> <p>1 "the serial numbers on all of the authentic</p> <p>2 transceivers began with BP or EX." My</p> <p>3 question to you: Is that a false statement?</p> <p>4 Can you say yes or no, please?</p> <p>5 A. Yes. It does -- yes. And I would like to --</p> <p>6 I -- yes.</p> <p>7 Q. Let me get it first for the record.</p> <p>8 A. Yeah.</p> <p>9 Q. That's a false statement --</p> <p>10 A. Yes.</p> <p>11 Q. -- correct?</p> <p>12 Okay. Then I will ask you that the</p> <p>13 statement is -- we've looked before. You</p> <p>14 repeat it several times in your report,</p> <p>15 correct?</p> <p>16 MR. BUNIS: Objection.</p> <p>17 Q. We can go back again and look at it.</p> <p>18 Paragraph 58. And just that -- or in the</p> <p>19 Units on Inventory list --</p> <p>20 A. Yes.</p> <p>21 Q. -- printed alphanumeric serial numbers began</p> <p>22 with BP or EX for all products analyzed. That</p> <p>23 is --</p> <p>24 A. This is in relation to the 643 transceivers.</p>

<p style="text-align: center;">112</p> <p>1 Q. Correct.</p> <p>2 A. Yes. This particular comment, yes.</p> <p>3 Q. Correct. Is that a false statement?</p> <p>4 A. That is not entirely correct.</p> <p>5 Q. Is it a false statement?</p> <p>6 A. Yes.</p> <p>7 Q. Thank you.</p> <p>8 why did you make those false statements</p> <p>9 in your report?</p> <p>10 MR. BUNIS: Objection. You can answer.</p> <p>11 A. I did not intend to make a false statement.</p> <p>12 That is just an oversight. But in the end it</p> <p>13 does not change the overall analysis of the</p> <p>14 product --</p> <p>15 Q. Well, I'm not asking about the --</p> <p>16 MR. BUNIS: Let him finish.</p> <p>17 A. It doesn't --</p> <p>18 MR. BUNIS: Okay.</p> <p>19 A. It does not change my final determination,</p> <p>20 because, as I said, the idea with my</p> <p>21 methodology is to not rely on just one data</p> <p>22 point but multiple data points. And as stated</p> <p>23 in Paragraph 71, there are multiple other data</p> <p>24 points that I looked at holistically</p>	<p style="text-align: center;">114</p> <p>1 Units Not on the Inventory List. The genuine</p> <p>2 transceivers there do not all start with BP or</p> <p>3 EX. So how could your conclusion was based on</p> <p>4 that application?</p> <p>5 A. As I said, yeah, that was -- that was an</p> <p>6 oversight on my part.</p> <p>7 Q. Okay. All right. The next bullet point in</p> <p>8 your Paragraph 71 says that the vendor listed</p> <p>9 in EEPROM data is H3C, which is not a valid</p> <p>10 value; do you see that?</p> <p>11 A. That is correct.</p> <p>12 Q. And how do you know it's not a valid value?</p> <p>13 A. Well, in my years of experience, it is the ODM</p> <p>14 -- ODM, it's an acronym -- that is listed</p> <p>15 under the vendor name field and the EEPROM.</p> <p>16 And I was also informed by HP that an</p> <p>17 authorized vendor for this part number was</p> <p>18 WTD.</p> <p>19 Q. Let's just go back for a second to your list</p> <p>20 of genuine transceivers on the inventory list.</p> <p>21 And we're going back to the page next to the</p> <p>22 last one. And the page next to last of the</p> <p>23 inventory list, the previous -- yeah, that's</p> <p>24 the section. Do you see in the vendor name</p>
<p style="text-align: center;">113</p> <p>1 altogether to come to a final determination.</p> <p>2 Q. Yeah. Well, we'll break them down, okay,</p> <p>3 because we're not going to look at them</p> <p>4 holistically. We'll just take one by one.</p> <p>5 would you agree with that approach?</p> <p>6 A. I'm okay with the approach.</p> <p>7 Q. Okay. And the first bullet point in that</p> <p>8 holistic approach of yours, you just admitted</p> <p>9 is false --</p> <p>10 MR. BUNIS: Objection.</p> <p>11 Q. -- true?</p> <p>12 MR. BUNIS: Objection.</p> <p>13 Q. Are you familiar with H3C's nomenclature</p> <p>14 conventions?</p> <p>15 MR. BUNIS: Objection, vague. You can</p> <p>16 answer if you understand.</p> <p>17 A. Nomenclature of -- of what?</p> <p>18 Q. Nomenclature conventions. You used that term</p> <p>19 several times in your report.</p> <p>20 A. So my observation was based on the products</p> <p>21 that were deemed -- that were qualified as</p> <p>22 being genuine.</p> <p>23 Q. Yeah. And here is the -- we just looked at</p> <p>24 both lists, Units on the Inventory List and</p>	<p style="text-align: center;">115</p> <p>1 it's not just WTD; there is another vendor --</p> <p>2 A. Yes.</p> <p>3 Q. -- called Hisense; do you see that?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. And also in the Units Not on the</p> <p>6 Inventory List there are a number of different</p> <p>7 vendors. That's Sumitomo Electric, Finisar,</p> <p>8 and -- or -- all right. So four.</p> <p>9 A. So the WTD reference that I made to was the</p> <p>10 ODM vendor for the SFB devices. And I was</p> <p>11 also informed that for X -- XFB devices, the</p> <p>12 ODM -- approved ODM vendors were Sumitomo</p> <p>13 Electric and Finisar Corporation.</p> <p>14 Q. All right. So it's not just WTD, correct?</p> <p>15 A. That is correct.</p> <p>16 Q. Yeah. Okay. Thank you.</p> <p>17 And I want to show you the next</p> <p>18 exhibit, which is this document, which was</p> <p>19 actually Exhibit 3 to Dr. Fang's report.</p> <p>20 MR. BUNIS: Exhibit 3. Okay.</p> <p>21 Q. And you would have viewed Dr. Fang's report,</p> <p>22 correct?</p> <p>23 A. That's correct.</p> <p>24 Q. Yeah.</p>

<p style="text-align: center;">116</p> <p>1 (PX Exhibit No. 10, Document - Exhibit 3</p> <p>2 marked for identification)</p> <p>3 Q. Before we ask about this report, I'm going to</p> <p>4 ask you in your prior work on counterfeiting</p> <p>5 at Cisco, did you deal with H3C brand</p> <p>6 transceivers?</p> <p>7 A. No.</p> <p>8 Q. No. At Vantage Point did you ever work with</p> <p>9 H3C transceivers?</p> <p>10 A. No.</p> <p>11 Q. And at Sideman & Bancroft did you work with</p> <p>12 H3C transceivers?</p> <p>13 A. No.</p> <p>14 Q. No. And at True Pedigree did you work with</p> <p>15 H3C transceivers?</p> <p>16 A. Only in this capacity.</p> <p>17 Q. Well, right.</p> <p>18 A. Yeah.</p> <p>19 Q. I understand that. But outside of this you</p> <p>20 didn't have any prior experience with H3C</p> <p>21 products, correct?</p> <p>22 A. Yeah. I have experience with transceivers,</p> <p>23 but not with --</p> <p>24 Q. But not H3C -- my question is about H3C.</p>	<p style="text-align: center;">118</p> <p>1 that -- I will ask him about that.</p> <p>2 Q. My point is: Do you see the printout, the</p> <p>3 readout of the vendor name on it?</p> <p>4 A. Yes, I do.</p> <p>5 Q. Yeah. Do you see which company's listed as</p> <p>6 the vendor?</p> <p>7 A. H3C.</p> <p>8 Q. Okay. The English version has the same</p> <p>9 picture. So there's not much to read, other</p> <p>10 than vendor name is listed as H3C, correct?</p> <p>11 A. The vendor name is listed --</p> <p>12 Q. Yeah.</p> <p>13 A. -- as H3C, but this does not necessarily --</p> <p>14 A) this document, you know, to me is</p> <p>15 unreliable, because it's originally in</p> <p>16 Mandarin. I don't know where it came from,</p> <p>17 what products it covers. And most importantly</p> <p>18 what I want you to be aware of, that what this</p> <p>19 does at the very top is a command which says</p> <p>20 display transceiver interface. It has no</p> <p>21 connection with the data that I'm reading from</p> <p>22 the EEPROM.</p> <p>23 Q. My question is: You said that H3C is not a</p> <p>24 valid value for vendor name. We just</p>
<p style="text-align: center;">117</p> <p>1 Okay. All right. So I want you to</p> <p>2 take a look at Exhibit 3 to Dr. Fang's report,</p> <p>3 which is in front of you. And it's in</p> <p>4 Mandarin, but there is a translation further</p> <p>5 on. But I want to show you this page with the</p> <p>6 electronic readout of the transceiver. Do you</p> <p>7 see that one.</p> <p>8 A. Yes.</p> <p>9 Q. Do you see that it has a vendor name?</p> <p>10 A. Yes.</p> <p>11 Q. And what does it say for vendor name?</p> <p>12 MR. BUNIS: I -- go ahead, answer.</p> <p>13 MR. JOFFE: Do you have objection to my</p> <p>14 question?</p> <p>15 MR. BUNIS: I was just going to ask him</p> <p>16 to read the entire document if he needs to,</p> <p>17 because you're ask -- you're pointing him to</p> <p>18 one page. So I was just going to instruct him</p> <p>19 to take his time and look at the whole thing.</p> <p>20 MR. JOFFE: It's Mandarin. He can't</p> <p>21 read the whole page.</p> <p>22 MR. BUNIS: He can't read the document</p> <p>23 because it's in Mandarin.</p> <p>24 MR. JOFFE: It has English translation</p>	<p style="text-align: center;">119</p> <p>1 established that you've never worked with H3C</p> <p>2 products, correct? And I showed you a</p> <p>3 document that Dr. Fang's used as H3C security</p> <p>4 bulletin that is published in -- there is not</p> <p>5 -- of course, a question for you, whether it's</p> <p>6 authentic or not; but it's published by H3C,</p> <p>7 and it shows vendor name for the transceiver,</p> <p>8 and it has H3C value and the vendor name; is</p> <p>9 that correct?</p> <p>10 MR. BUNIS: Hold on. Can you repeat</p> <p>11 the question, please.</p> <p>12 THE STENOGRAPHER: I was actually going</p> <p>13 to ask if you --</p> <p>14 MR. JOFFE: I could repeat it.</p> <p>15 Q. Did the document that I showed you, which</p> <p>16 Dr. Fang attaches to his report as H3C</p> <p>17 security bulletin, shows an electronic readout</p> <p>18 of the transceiver which has H3C as a vendor</p> <p>19 name; do you see that?</p> <p>20 A. That is correct.</p> <p>21 MR. BUNIS: I --</p> <p>22 Q. My question to you is: Your Bullet Point</p> <p>23 No. 2 said that H3C is not a valid value --</p> <p>24 A. But, again, I --</p>

<p style="text-align: center;">120</p> <p>1 Q. -- as a vendor?</p> <p>2 A. And, again as I'm saying to you, like</p> <p>3 previously, the field that is defined as the</p> <p>4 vendor name and EEPROM is different from what</p> <p>5 is being defined here. I have no means to</p> <p>6 know as to what vendor name this field refers</p> <p>7 to and where. And -- and, again, I want to</p> <p>8 reiterate this. As I've said before, my goal</p> <p>9 is to collect different data points, right, my</p> <p>10 observation and -- and --</p> <p>11 Q. You said that already.</p> <p>12 MR. BUNIS: Let him finish.</p> <p>13 A. I want to complete my -- because it's very</p> <p>14 important. The -- I was informed by HP that</p> <p>15 the vendor for SFB devices is WTD, okay? I</p> <p>16 capture that as data point. But as I've</p> <p>17 shared with you earlier, that data point was</p> <p>18 not taken into account in determining if the</p> <p>19 product was genuine or counterfeit. What I</p> <p>20 based my analysis on was the anomalies of</p> <p>21 which the serial number on the product did not</p> <p>22 match the serial number in the -- either the</p> <p>23 1D barcode or the serial in EEPROM. That to</p> <p>24 me is an anomaly; and if that is present, then</p>	<p style="text-align: center;">122</p> <p>1 We've looked at Bullet Point 1 where</p> <p>2 your indicator was a serial number</p> <p>3 nomenclature. And we've established that that</p> <p>4 statement was false. I'm looking at the</p> <p>5 Bullet Point 2 where you said that H3C is not</p> <p>6 a valid value for vendor. And I showed you</p> <p>7 one document by H3C where it lists vendor name</p> <p>8 as H3C.</p> <p>9 A. So I -- and I --</p> <p>10 Q. So just sticking --</p> <p>11 A. -- responded --</p> <p>12 Q. -- with this vendor number, is -- if you look</p> <p>13 at this printout, would you agree, at least</p> <p>14 based on this document, that had H3C is a</p> <p>15 valid vender number --</p> <p>16 A. I --</p> <p>17 Q. -- name -- sorry --</p> <p>18 A. I would not -- I would not, because I --</p> <p>19 Q. -- based on this document?</p> <p>20 A. -- I would not find this document reliable.</p> <p>21 Q. You would not?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. Well, let me -- I'm going to show you</p> <p>24 another document.</p>
<p style="text-align: center;">121</p> <p>1 the product is counterfeit.</p> <p>2 And also ensured that the 2D barcode,</p> <p>3 okay, now a different data point, a 2D barcode</p> <p>4 was -- was represented correctly as the</p> <p>5 alphanumeric string that was printed next to</p> <p>6 it. And then last, but not least, that there</p> <p>7 was no repetition of serial numbers in all the</p> <p>8 products that were determined to be genuine;</p> <p>9 whereas, as in the other case, there were</p> <p>10 repetitive serial numbers and other criterias,</p> <p>11 which I'm more than happy to point out. So at</p> <p>12 the end of the day, the vendor name was not --</p> <p>13 it was a data point that I had; but it was not</p> <p>14 the basis for my final determination in</p> <p>15 concluding whether the product was genuine or</p> <p>16 counterfeit.</p> <p>17 Q. Thank you, Mr. Raina. I understand that. I'm</p> <p>18 trying to go bullet by bullet and statement by</p> <p>19 statement in Paragraph 71 that lists are the</p> <p>20 indicators for counterfeiting. I understand</p> <p>21 your holistic approach. I just want to probe</p> <p>22 each of the points or some of the points that</p> <p>23 you've listed as indicators of counterfeiting</p> <p>24 that you've considered.</p>	<p style="text-align: center;">123</p> <p>1 MR. BUNIS: Before we get to the next</p> <p>2 document, let's take a break.</p> <p>3 Q. And what's the basis for you doubting the --</p> <p>4 MR. BUNIS: Wait. We're going to take</p> <p>5 a break. That's right. Before we get to the</p> <p>6 next document, we're going to take a break.</p> <p>7 MR. JOFFE: No. I control the</p> <p>8 deposition. He didn't ask for a break. You</p> <p>9 asked for a break, and we're not giving you a</p> <p>10 break.</p> <p>11 THE WITNESS: I would like to have a</p> <p>12 break.</p> <p>13 MR. JOFFE: Do you want to -- you</p> <p>14 didn't even ask me.</p> <p>15 MR. BUNIS: We can go off the record.</p> <p>16 MR. JOFFE: So are you interrupting the</p> <p>17 deposition?</p> <p>18 THE STENOGRAPHER: Are we off or on?</p> <p>19 MR. JOFFE: Are you --</p> <p>20 MR. BUNIS: The witness asked for a</p> <p>21 break. We're going to take a break.</p> <p>22 MR. JOFFE: On your --</p> <p>23 MR. BUNIS: We've been going more than</p> <p>24 an hour. We're going to take a break.</p>

<p style="text-align: right;">124</p> <p>1 MR. JOFFE: On your command.</p> <p>2 (Discussion off the record)</p> <p>3 MR. JOFFE: Are we on the record?</p> <p>4 THE STENOGRAPHER: Yes.</p> <p>5 Q. Mr. Raina, did I tell you in the beginning</p> <p>6 that if you want a break, just ask and we'll</p> <p>7 arrange for a break while there is no pending</p> <p>8 questions? You didn't ask me for a break?</p> <p>9 A. I just did. I would like to take a break.</p> <p>10 Q. You just did?</p> <p>11 A. Yes.</p> <p>12 Q. And you asked me after your counsel</p> <p>13 interrupted and asked for a break, correct?</p> <p>14 MR. BUNIS: Dimitry, we're going to</p> <p>15 take a break. Let's go off the record.</p> <p>16 THE WITNESS: Need a break.</p> <p>17 MR. JOFFE: If you need a break, tell</p> <p>18 me next time.</p> <p>19 THE WITNESS: Okay.</p> <p>20 (Discussion off the record)</p> <p>21 (Lunch recess)</p> <p>22</p> <p>23</p> <p>24</p>	<p style="text-align: right;">126</p> <p>1 something that I can't rely on, was written in</p> <p>2 Mandarin. All I see written in front of me is</p> <p>3 H3C. That's all I can honestly attest to.</p> <p>4 Q. If you assume, which I ask you to do, that the</p> <p>5 document in front of you is authentic H3C</p> <p>6 document, would you agree that the document</p> <p>7 lists H3C as a valid vendor name?</p> <p>8 MR. BUNIS: Objection, vague. You can</p> <p>9 answer if you understand.</p> <p>10 A. Again, it's unreliable to me. So I'm not --</p> <p>11 it doesn't say -- you know, I have no idea --</p> <p>12 this was written in Mandarin, which I cannot</p> <p>13 read it, obviously. I can't trust the</p> <p>14 translation. I see H3C written here. I agree</p> <p>15 as the vendor name, but I don't know in what</p> <p>16 context this is being referred to.</p> <p>17 Q. Okay. I'll show you the next exhibit; but</p> <p>18 before that, I want to ask you this. Are you</p> <p>19 aware that you were supposed to disclose all</p> <p>20 the facts and data that you relied upon in the</p> <p>21 report?</p> <p>22 A. I'm sorry. Can you repeat that question</p> <p>23 again?</p> <p>24 Q. Do you -- are you aware that you should have</p>
<p style="text-align: right;">125</p> <p>1 AFTERNOON SESSION</p> <p>2 MR. JOFFE: Back on the record?</p> <p>3 THE STENOGRAPHER: Yes.</p> <p>4 MR. JOFFE: Thank you.</p> <p>5 Q. So, Mr. Raina, just before the break we were</p> <p>6 looking at Exhibit 3 to Dr. Fang's report,</p> <p>7 which showed an electronic printout of</p> <p>8 information received transceiver; and it lists</p> <p>9 H3C in the vendor name field. And I wanted</p> <p>10 you to take a look at that exhibit, because in</p> <p>11 your Paragraph 71, among indicators of</p> <p>12 counterfeiting, you said that H3C is not a</p> <p>13 valid value for the vendor field, correct?</p> <p>14 MR. BUNIS: Objection. I just -- it --</p> <p>15 can you read back the question?</p> <p>16 (Question read)</p> <p>17 MR. BUNIS: Objection, vague. But you</p> <p>18 can answer if you understand the question.</p> <p>19 A. I do see H3C written on the document here</p> <p>20 (indicating); but to me this document is not</p> <p>21 reliable, as I pointed out before. And I was</p> <p>22 informed by HP, as I stated earlier, that WTD,</p> <p>23 amongst other, was an approved vendor for the</p> <p>24 product in question. So all I see here is</p>	<p style="text-align: right;">127</p> <p>1 disclosed all the facts and data that you</p> <p>2 relied upon in reaching your opinions in your</p> <p>3 report?</p> <p>4 A. That is correct, yes.</p> <p>5 Q. Correct. You just said several times that</p> <p>6 you've been told by HP that WTD is the vendor</p> <p>7 for the transceivers?</p> <p>8 A. One of many approved vendors for the</p> <p>9 transceivers, yes.</p> <p>10 Q. You used that fact to say that H3C is not a</p> <p>11 valid vendor?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. Well, shouldn't you have disclosed that</p> <p>14 information in your report?</p> <p>15 A. I think I have disclosed that where --</p> <p>16 Q. Where?</p> <p>17 A. It's -- H3C is not an approved vendor.</p> <p>18 Q. No, no, no. The fact that WTD is the vendor</p> <p>19 for those transceivers, where did you disclose</p> <p>20 that in your report?</p> <p>21 A. So -- so my analysis for the 647 transceivers,</p> <p>22 as I've shared earlier, did not take into</p> <p>23 account -- I was -- I was looking for anomaly.</p> <p>24 So what I captured are the anomalies that I</p>

<p style="text-align: right;">128</p> <p>1 observed on the products. And whenever they</p> <p>2 were not present, I kind of stated that out.</p> <p>3 Q. Right, I understand. What I'm asking you is</p> <p>4 that -- and I think you confirmed -- that you</p> <p>5 should have disclosed all the data and facts</p> <p>6 that you relied upon in reaching your</p> <p>7 conclusions. And one of the facts that you</p> <p>8 just disclosed is that you've been told by HP</p> <p>9 that WTD is the approved vendor for those</p> <p>10 transceivers?</p> <p>11 A. The -- yes. They did inform me, yes.</p> <p>12 Q. Yeah. But -- okay -- and I don't believe it's</p> <p>13 stated in your report anywhere. If you can</p> <p>14 show me where it is, I'll be happy to take a</p> <p>15 look.</p> <p>16 A. And what -- what it is exactly that you're</p> <p>17 looking for, what kind of --</p> <p>18 Q. That WTD is an approved vendor for those</p> <p>19 transceivers.</p> <p>20 A. In my report?</p> <p>21 Q. Yes.</p> <p>22 A. I don't think that's captured anywhere.</p> <p>23 Q. Okay. Thank you.</p> <p>24 I want to show you the next exhibit.</p>	<p style="text-align: right;">130</p> <p>1 MR. BUNIS: Yeah. Well, you're going</p> <p>2 to read the whole thing.</p> <p>3 MR. JOFFE: Yeah.</p> <p>4 MR. BUNIS: Take your time and read the</p> <p>5 whole thing.</p> <p>6 THE WITNESS: Is it okay if I can</p> <p>7 borrow a pen from someone?</p> <p>8 MR. JOFFE: A pen?</p> <p>9 THE WITNESS: Yeah.</p> <p>10 MR. JOFFE: Sure. You can borrow from</p> <p>11 me.</p> <p>12 Q. The first part --</p> <p>13 MR. BUNIS: I'm just going to -- I</p> <p>14 don't want you to write on it, just -- you can</p> <p>15 underline it, but I don't want you to write on</p> <p>16 it.</p> <p>17 Q. You can use another copy if you want to write.</p> <p>18 MR. BUNIS: He -- no, that's okay.</p> <p>19 A. I'm just -- yeah. I'm just going to</p> <p>20 underline.</p> <p>21 Q. Okay.</p> <p>22 MR. BUNIS: And just wait for him to</p> <p>23 read the whole thing.</p> <p>24 MR. JOFFE: Well, listen, if I ask him</p>
<p style="text-align: right;">129</p> <p>1 MR. BUNIS: This is No. 11?</p> <p>2 THE STENOGRAPHER: 11, yup.</p> <p>3 (PX Exhibit No. 11, Statement of</p> <p>4 Anti-counterfeiting for H3C Hosts, and</p> <p>5 Optical Modular marked for</p> <p>6 identification)</p> <p>7 Q. And I apologize for part of it, and that's how</p> <p>8 it's printed. But the document is called</p> <p>9 "Statement on Anti-counterfeiting for H3C</p> <p>10 Hosts, and Optical Modules." It has HC3 logo</p> <p>11 on the top.</p> <p>12 MR. BUNIS: Dimitry, I'm sorry to</p> <p>13 interrupt.</p> <p>14 MR. JOFFE: Yes.</p> <p>15 MR. BUNIS: Are you going to ask him</p> <p>16 questions about this document?</p> <p>17 MR. JOFFE: Yeah.</p> <p>18 MR. BUNIS: Okay. And so why don't you</p> <p>19 take the time --</p> <p>20 MR. JOFFE: I want --</p> <p>21 MR. BUNIS: -- to read the whole thing.</p> <p>22 MR. JOFFE: I want to ask him questions</p> <p>23 about the -- actually, the second page</p> <p>24 printout.</p>	<p style="text-align: right;">131</p> <p>1 about a particular document, about just one</p> <p>2 part of the document, I don't need to sit and</p> <p>3 wait until he reads the whole document.</p> <p>4 MR. BUNIS: I --</p> <p>5 MR. JOFFE: Because the document could</p> <p>6 be multipage. It has nothing to do with my</p> <p>7 question or his answer. So I'm directing him</p> <p>8 to the relevant part.</p> <p>9 MR. BUNIS: I beg to differ with you.</p> <p>10 MR. JOFFE: Well --</p> <p>11 MR. BUNIS: I think it's a matter of</p> <p>12 giving the most complete and accurate</p> <p>13 testimony. It's fair that the witness be</p> <p>14 allowed to review the entire the document, and</p> <p>15 not just sort of the portions that you want to</p> <p>16 direct him to. And that's what I'm going to</p> <p>17 instruct him to do.</p> <p>18 I think there's language on the bottom</p> <p>19 of the first page of 11 that's cut off from</p> <p>20 mine. I don't know -- I can't -- the same for</p> <p>21 the top of the second page.</p> <p>22 MR. JOFFE: Yeah. Yeah.</p> <p>23 A. Okay.</p> <p>24 Q. Okay. So my question is really on page 2 and</p>

<p style="text-align: center;">132</p> <p>1 it's very limited. I just wanted to ask you</p> <p>2 to take a look at electronic readout that's on</p> <p>3 top of the page.</p> <p>4 A. It's very small but I -- yeah. I'll try my</p> <p>5 best to read it.</p> <p>6 Q. Yeah. I think it says the two places shall be</p> <p>7 filled with yes and H3C to indicate that this</p> <p>8 optical module is the -- appears an authentic</p> <p>9 H3C product. And there's H3C and the vendor</p> <p>10 name; do you see that?</p> <p>11 MR. BUNIS: Objection. You can answer.</p> <p>12 A. Again, I see H3C.</p> <p>13 MR. BUNIS: Do you see?</p> <p>14 A. Yeah. And then I can -- I -- I -- it's</p> <p>15 printed there as the vendor name. That's what</p> <p>16 I see. It's written here on this document --</p> <p>17 Q. Right.</p> <p>18 A. -- yes.</p> <p>19 Q. Right. And you see that the rest of the</p> <p>20 document on the bottom indicates the date</p> <p>21 December 31, 2019, and that it's an H3C</p> <p>22 statement to anti-counterfeiting?</p> <p>23 MR. BUNIS: Objection. You can answer</p> <p>24 if you can.</p>	<p style="text-align: center;">134</p> <p>1 So what I mean by that is if in the</p> <p>2 EEPROM, for example, if the part number says</p> <p>3 XYZ-H3C, what the software picks up on for the</p> <p>4 end customer -- because the end customer is</p> <p>5 purchasing this from H3C. They're not</p> <p>6 purchasing this product from WTD. So what</p> <p>7 they showcase to the end customer is that this</p> <p>8 is an H3C vendor that you purchased it from.</p> <p>9 But it is not the same vendor that I'm talking</p> <p>10 about in my report as it relates to the field</p> <p>11 in the EEPROM.</p> <p>12 And I want to make sure that you</p> <p>13 understand -- and there's a big difference</p> <p>14 between the two. This is the vendor name as</p> <p>15 it is showcased to the end customer for H3C.</p> <p>16 H3C sells routers and switches and</p> <p>17 transceivers that plug into its enterprise</p> <p>18 customers, to businesses. When those</p> <p>19 businesses get the routers and switches, they</p> <p>20 plug in the transceivers. They've been</p> <p>21 provided a software command that displays this</p> <p>22 information. And this information is not</p> <p>23 being read from the EEPROM.</p> <p>24 I've -- I've done this for multiple</p>
<p style="text-align: center;">133</p> <p>1 A. So I don't know the source of this document;</p> <p>2 but I do see December 31, 2019 --</p> <p>3 Q. Yes.</p> <p>4 A. -- written at the bottom of the document.</p> <p>5 Q. So what I want to ask you is that do you see</p> <p>6 that H3C is used as a vendor name --</p> <p>7 A. So this is --</p> <p>8 Q. -- for the transceiver?</p> <p>9 A. So this is, again, where I want to explain the</p> <p>10 difference here. I -- I --</p> <p>11 Q. I'm asking you --</p> <p>12 A. It is very important.</p> <p>13 Q. -- a specific question. Please ask -- answer</p> <p>14 my specific question.</p> <p>15 A. The vendor name and EEPROM can be very</p> <p>16 different than what you see being displayed</p> <p>17 here by the command at the very top that is</p> <p>18 entered on an H3C device, most likely a router</p> <p>19 or a switch. In my previous experience with</p> <p>20 Cisco and other networking companies, the</p> <p>21 software that is reading it is not reading the</p> <p>22 EEPROM from fields necessarily. It's</p> <p>23 interpreting -- interpreting the fields in the</p> <p>24 EEPROM.</p>	<p style="text-align: center;">135</p> <p>1 networking companies. They're interpreting</p> <p>2 the data that is in the transceiver and</p> <p>3 letting the enterprise and customer know that</p> <p>4 you are looking an H3C device or a CISCO</p> <p>5 device or a Juniper device. They're not</p> <p>6 sharing with the end customer as to who their</p> <p>7 vendor is. But in the EEPROM, the vendor name</p> <p>8 or field that I'm talking about, it's an</p> <p>9 industry standard. That's why if you look at</p> <p>10 any EEPROM in the same location in the EEPROM,</p> <p>11 it's going to tell you the vendor name, which</p> <p>12 is really the ODM, who design and manufacture</p> <p>13 the product.</p> <p>14 So there is a big difference in how</p> <p>15 you're interpreting the vendor name, because</p> <p>16 the vendor name is subjective. It's whose</p> <p>17 vendor. This is for the end customer. Who</p> <p>18 was their vendor? Who did they purchase from?</p> <p>19 And they purchased from H3C. But when I'm</p> <p>20 looking the EEPROM, I'm -- what I'm looking at</p> <p>21 is the vendor for H3C, who H3C procured the</p> <p>22 products from. So that could be WTD. That</p> <p>23 could be, as -- you know, as we've seen, that</p> <p>24 could be Sumitomo, because those are the</p>

<p style="text-align: right;">136</p> <p>1 vendors that design these products in this</p> <p>2 space.</p> <p>3 Q. Mm-hmm. Okay. Let's take a look at Bullet</p> <p>4 Point -- in Paragraph 71, back to your report.</p> <p>5 Bullet Point 4 at the end of the page.</p> <p>6 A. Yes.</p> <p>7 Q. And if you can read that bullet point, please.</p> <p>8 A. "The EEPROM date code for all but 1 of the</p> <p>9 28 devices was '101028,' which strongly</p> <p>10 suggests a counterfeit operation where the</p> <p>11 same date code was written on all the EEPROMs.</p> <p>12 In the 647 genuine transceivers, by contrast,</p> <p>13 there are 25 different dates of manufacture."</p> <p>14 Q. Okay. So in 647 genuine transceivers, there</p> <p>15 were 25 different dates of manufacture you</p> <p>16 say --</p> <p>17 A. Yes.</p> <p>18 Q. -- correct?</p> <p>19 And that comes out -- if I divide it,</p> <p>20 647 by 25 comes out to 26 devices on average</p> <p>21 were the same date, correct?</p> <p>22 MR. BUNIS: You're asking him about the</p> <p>23 math?</p> <p>24 MR. JOFFE: Yeah.</p>	<p style="text-align: right;">138</p> <p>1 Q. Okay. Well, let's take a look on the</p> <p>2 spreadsheet then.</p> <p>3 A. The overall numbers that I'm talking about.</p> <p>4 Q. Yeah. You see date code?</p> <p>5 A. Yes.</p> <p>6 Q. So it is captured in this spreadsheet?</p> <p>7 A. I'm -- yeah. What I'm referring to is the --</p> <p>8 the overall numbers for a certain date code,</p> <p>9 how that is dispersed across different date</p> <p>10 codes --</p> <p>11 Q. Well, the date codes --</p> <p>12 A. -- a specific date code.</p> <p>13 Q. Date codes are listed in the spreadsheet,</p> <p>14 correct?</p> <p>15 A. That is correct.</p> <p>16 Q. Okay. Would it surprise you that there are</p> <p>17 50 devices in the spreadsheet that you deemed</p> <p>18 genuine with the same date?</p> <p>19 A. It would not surprise me.</p> <p>20 Q. Okay. Would it surprise you that there are</p> <p>21 80 devices for the same date?</p> <p>22 A. How many? I'm sorry.</p> <p>23 Q. 80.</p> <p>24 A. I haven't done that calculation; but if that</p>
<p style="text-align: right;">137</p> <p>1 A. That is --</p> <p>2 Q. Well, approximately. We can easily divide 647</p> <p>3 by 25.</p> <p>4 MR. BUNIS: You're asking him to check</p> <p>5 -- I'm just confirming the question.</p> <p>6 Q. No. I'm just -- yeah. Why don't we check.</p> <p>7 A. That is not how it was dispersed. If you're</p> <p>8 just looking at an average --</p> <p>9 Q. No, I understand. So my question is simple.</p> <p>10 647 devices with 25 it different dates. So on</p> <p>11 average, not dispersed, though, on average,</p> <p>12 that would come to about 26 devices with the</p> <p>13 same date, is that not correct, 647 divided by</p> <p>14 25?</p> <p>15 A. It's -- that is not how it was -- how that</p> <p>16 looked if I -- you know, I -- if the analysis</p> <p>17 that was done. But at an average, yes, you're</p> <p>18 correct.</p> <p>19 Q. Yes. Okay. And how was the distribution, the</p> <p>20 dates and the transceiver section?</p> <p>21 A. I do not have that information with me.</p> <p>22 Q. But it's easy to check if you have your</p> <p>23 spreadsheet, correct?</p> <p>24 A. No. It's not captured in the spreadsheet.</p>	<p style="text-align: right;">139</p> <p>1 is the right calculation, it wouldn't surprise</p> <p>2 me.</p> <p>3 Q. 136 devices with the same date would surprise</p> <p>4 you?</p> <p>5 A. No.</p> <p>6 Q. No.</p> <p>7 A. Not at all.</p> <p>8 Q. Okay. Well, I -- I'll just explain that these</p> <p>9 numbers can be easily accomplished if you</p> <p>10 sort --</p> <p>11 A. Okay. Yeah.</p> <p>12 Q. -- you know, you sort your column by dates --</p> <p>13 A. Yeah.</p> <p>14 Q. -- then you will see it will repeat the</p> <p>15 date --</p> <p>16 A. Correct.</p> <p>17 Q. -- right?</p> <p>18 So when you say that all but 1 of 28,</p> <p>19 which means 27 devices have the same date</p> <p>20 code, and you say that this strongly suggests</p> <p>21 a counterfeiting operation, would 150 or</p> <p>22 80 devices with the same date code not</p> <p>23 strongly suggest a counterfeiting operation?</p> <p>24 A. No. That's -- that's absolutely incorrect.</p>

<p style="text-align: right;">140</p> <p>1 So what this suggests is that if a big</p> <p>2 majority of the products that were deemed</p> <p>3 counterfeit had the same date code -- and I in</p> <p>4 my years of experience have observed this over</p> <p>5 and over again when you're getting batches.</p> <p>6 So from what I was -- I know is that ICT</p> <p>7 procured products from different sources</p> <p>8 outside of HP. And if that procurement was</p> <p>9 coming from one counterfeiting entity, this is</p> <p>10 a strong indication that the same date code</p> <p>11 has been written into all those EEPROMs; and</p> <p>12 whereas, if you're looking at a large data</p> <p>13 set, in this case about 657 products, that</p> <p>14 were sold by HP initially in the 2010 time</p> <p>15 frame, it doesn't surprise me that there would</p> <p>16 be a few date codes that would have, you know,</p> <p>17 the numbers that you're talking about.</p> <p>18 But the -- but the -- the key point</p> <p>19 here is that a big chunk of the products that</p> <p>20 were determined to be counterfeit had this</p> <p>21 fingerprint. And again I want to go back to</p> <p>22 the point I was making earlier. My job was to</p> <p>23 look at multiple data points and reach a</p> <p>24 conclusion by looking at this holistically.</p>	<p style="text-align: right;">142</p> <p>1 you tried to fit those criterias to match</p> <p>2 them. Because if the -- a group of</p> <p>3 27 transceivers with the same date code,</p> <p>4 according to your report, strongly suggests a</p> <p>5 counterfeit operation, then why a group of</p> <p>6 transceivers of 50 or 80 or more than 100 do</p> <p>7 not suggest a counterfeit operation --</p> <p>8 MR. BUNIS: I'm not --</p> <p>9 Q. -- again, if that is the criteria that you use</p> <p>10 as an indicator of counterfeiting?</p> <p>11 MR. BUNIS: I'm not sure I understand</p> <p>12 what the question is.</p> <p>13 MR. JOFFE: Well, Mr. Raina report says</p> <p>14 that 27 transceivers with the same date code</p> <p>15 is strong suggestion of counterfeit operation.</p> <p>16 That's what the bullet point says --</p> <p>17 MR. BUNIS: What --</p> <p>18 MR. JOFFE: -- on Paragraph 71. And I</p> <p>19 give Mr. Raina a scenario that from his</p> <p>20 analysis (indicating) where there are groups</p> <p>21 of transceivers numbering in 50, 80, or more</p> <p>22 than 100 with the same date code.</p> <p>23 Q. And how is that not an indicator of</p> <p>24 counterfeiting? That was my question.</p>
<p style="text-align: right;">141</p> <p>1 All right. So if this was the only indicator,</p> <p>2 I would not be too sure. I'm adding up all</p> <p>3 the indicators that I know in my personal</p> <p>4 experience and how counterfeiters work,</p> <p>5 because counterfeiters are lazy. So what they</p> <p>6 do is they -- they do not have the</p> <p>7 infrastructure or the automation. They'll</p> <p>8 just say, okay, pick one date code. Let's</p> <p>9 counterfeit</p> <p>10 100 devices today, 28 devices today. Let's</p> <p>11 burn in 101028 and we're done. And that's</p> <p>12 what I'm trying to indicate.</p> <p>13 So it's not the numbers purely that</p> <p>14 you're talking about. It's the numbers in</p> <p>15 context of the overall quantity and along with</p> <p>16 the other data points that I'm trying to</p> <p>17 showcase here.</p> <p>18 Q. Well, I think your report says that those are</p> <p>19 indicators of counterfeiting -- and let me</p> <p>20 finish that -- and I would think that you look</p> <p>21 at all the transceivers to see whether they</p> <p>22 have indicators of counterfeiting; but you did</p> <p>23 something different. You've determined that</p> <p>24 28 are presumptively counterfeiting, and then</p>	<p style="text-align: right;">143</p> <p>1 MR. BUNIS: I --</p> <p>2 Q. And I understand your answer.</p> <p>3 MR. BUNIS: You're -- okay.</p> <p>4 Q. Right?</p> <p>5 A. I think you -- I'm sorry to say, but I don't</p> <p>6 think you're understanding my response, which</p> <p>7 is I'm not just looking at that data point.</p> <p>8 So let me elaborate.</p> <p>9 Q. I understand your holistic --</p> <p>10 A. No. I would like to elaborate, because I want</p> <p>11 to be accurate --</p> <p>12 Q. Okay.</p> <p>13 A. -- and -- and I describe what I've done here,</p> <p>14 because I've done that. So if you look -- if</p> <p>15 you're just looking at that one data point --</p> <p>16 what I'm telling you, I'm looking at this</p> <p>17 holistically. So, for example, if you look at</p> <p>18 the second to last bullet on page 23, "All but</p> <p>19 1 of the 28 products had a 2D barcode, and all</p> <p>20 27 read incorrectly."</p> <p>21 It further adds to my indicators of</p> <p>22 counterfeit; whereas, for all the devices that</p> <p>23 I've determined are genuine were -- a 2D</p> <p>24 barcode was present, I did not have this</p>

<p style="text-align: right;">144</p> <p>1 anomaly. I did not see this anomaly.</p> <p>2 Q. Okay.</p> <p>3 A. On top of that, last but very important --</p> <p>4 and, again, this is with my experience and --</p> <p>5 and -- and living in this world for 20 years,</p> <p>6 on a genuine transceiver or a batch of genuine</p> <p>7 transceivers, you will not see a serial number</p> <p>8 being duplicated. That just does not happen.</p> <p>9 The genuine manufacturing operations have</p> <p>10 quality control in place. They have checks</p> <p>11 and balances in place that that never happens.</p> <p>12 For this set of 28 transceivers, there</p> <p>13 were two set of serial numbers that were</p> <p>14 repeated, one four times and the other one two</p> <p>15 times. So, again, I go back to the point I</p> <p>16 was making earlier. What I'm stating is</p> <p>17 looking at multiple data points, looking at it</p> <p>18 holistically and not basing my assumption on</p> <p>19 one data point, and that's exactly why I just</p> <p>20 did not want to be looking at the holographic</p> <p>21 labels as the only indicator, because that</p> <p>22 would not in my years of experience be a</p> <p>23 truthful and precise determination of the</p> <p>24 nature of the product.</p>	<p style="text-align: right;">146</p> <p>1 Q. Yeah.</p> <p>2 A. Yes.</p> <p>3 Q. 2D barcode matching the alphanumeric string</p> <p>4 printed next to it. Is that a serial number?</p> <p>5 A. That is not the serial number.</p> <p>6 Q. What is that number?</p> <p>7 A. I am not sure as to what that number was.</p> <p>8 Q. You don't know what alphanumeric string is?</p> <p>9 A. I know what an alphanumeric string is.</p> <p>10 Q. No, no, no.</p> <p>11 A. It's a combination of --</p> <p>12 Q. I mean, in this context what does alphanumeric</p> <p>13 string printed next to the 2D barcode</p> <p>14 indicate?</p> <p>15 A. No.</p> <p>16 Q. Okay.</p> <p>17 MR. BUNIS: Wait. I'm sorry. Hold on</p> <p>18 a second. I just want to make sure there's an</p> <p>19 understanding of the question.</p> <p>20 MR. JOFFE: He answered it. So we're</p> <p>21 moving on.</p> <p>22 MR. BUNIS: I --</p> <p>23 Q. It's not the serial number, correct?</p> <p>24 A. The -- yeah.</p>
<p style="text-align: right;">145</p> <p>1 Q. I don't think I ever asked you whether you</p> <p>2 look at hologram labels as the only indicator.</p> <p>3 My question to you was: whether you looked at</p> <p>4 hologram label as an indicator, one of the</p> <p>5 indicators of counterfeiting; and you said</p> <p>6 that you didn't, correct?</p> <p>7 A. That is correct.</p> <p>8 Q. Correct.</p> <p>9 A. My response to you also was that I did as an</p> <p>10 engineer, I always try to collect all the data</p> <p>11 points that are relevant in context of what</p> <p>12 I'm trying to achieve; and I did ask HP for</p> <p>13 that data point, but they did not have it. So</p> <p>14 I looked at everything else holistically.</p> <p>15 Q. Which data point did you ask HP for?</p> <p>16 A. As I stated earlier, when you asked me earlier</p> <p>17 today, that data point was around did they</p> <p>18 have any documentation around H3C holographic</p> <p>19 labels at that point in time.</p> <p>20 Q. And HP told you that they didn't?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. You mentioned Bullet Point 2 on page 23</p> <p>23 about 2D barcode?</p> <p>24 A. The second bullet point?</p>	<p style="text-align: right;">147</p> <p>1 Q. The 2D barcode?</p> <p>2 A. The 1D -- the 1D barcode --</p> <p>3 Q. No. I'm asking about 2D --</p> <p>4 THE STENOGRAPHER: I can only do one.</p> <p>5 THE WITNESS: I'm sorry.</p> <p>6 Q. On Bullet Point 2 on page 23, it talks about</p> <p>7 2D barcode and alphanumeric printed string</p> <p>8 next to it. The alphanumeric string is not a</p> <p>9 serial number, correct?</p> <p>10 A. It's not the serial number, correct.</p> <p>11 Q. It's not. Then I asked you do you know what</p> <p>12 that number is?</p> <p>13 MR. BUNIS: Hold on. Hold on. I want</p> <p>14 to make sure I understand. When you say "that</p> <p>15 number," what are you -- what do you mean?</p> <p>16 MR. JOFFE: Alphanumeric string printed</p> <p>17 next to the 2D barcode.</p> <p>18 MR. BUNIS: Are you asking him does he</p> <p>19 know what the alphanumeric string number is?</p> <p>20 MR. JOFFE: What it means. We've</p> <p>21 established it's not a serial number. So I</p> <p>22 want to know what that is.</p> <p>23 A. I --</p> <p>24 MR. BUNIS: If you can answer, please</p>

<p style="text-align: right;">148</p> <p>1 answer.</p> <p>2 A. Yeah. I don't know. But my -- but the point</p> <p>3 I'm trying to make here is that alphanumeric</p> <p>4 string -- so what you have to understand about</p> <p>5 labels is that just like the serial number it</p> <p>6 is printed alphanumerically, so it is human</p> <p>7 readable (indicating). All of us can read it</p> <p>8 if somebody asks us what the serial number is.</p> <p>9 But then it is also represented in a machine</p> <p>10 readable format. And that is why you have the</p> <p>11 1D barcodes, because on a manufacturing line</p> <p>12 you have 1D barcode readers. They're not --</p> <p>13 you know, they don't have the team to read the</p> <p>14 serial number, to scan the serial number, and</p> <p>15 that's how they captured it.</p> <p>16 Similarly, the 2D barcode is supposed</p> <p>17 to represent -- in all the products that were</p> <p>18 genuine, when I scanned the 2D barcode, it</p> <p>19 presented the entire alphanumeric string that</p> <p>20 was printed next to it. So the goal being</p> <p>21 that the alphanumeric string is also</p> <p>22 represented in a machine readable format.</p> <p>23 However, on these products that I have</p> <p>24 determined to be counterfeit, the products</p>	<p style="text-align: right;">150</p> <p>1 Q. You just said that you read the barcode,</p> <p>2 compared them with alphanumeric string, and</p> <p>3 see that they're half full, that is captured.</p> <p>4 where is that data in your report?</p> <p>5 A. That is not in this report, but that is a data</p> <p>6 point that I did capture.</p> <p>7 Q. Well, why did you list it in your report then?</p> <p>8 A. I listed the -- the conclusion from that.</p> <p>9 Q. I understand. But what is the actual readings</p> <p>10 of the data that you collected?</p> <p>11 A. That is not -- that is not part of the report.</p> <p>12 Q. Okay. Why is it not part of the report?</p> <p>13 A. As I said, my goal was to -- was to conclude</p> <p>14 from the readings as to the anomalies that I</p> <p>15 observed, and that is what I have captured in</p> <p>16 the report.</p> <p>17 Q. Well, you've listed other data. You've listed</p> <p>18 serial numbers. You've listed serial numbers</p> <p>19 on 1D. You've listed the serial numbers from</p> <p>20 label and serial numbers from EEPROM. But you</p> <p>21 didn't list either alphanumeric numbers</p> <p>22 printed onto the left label, nor the barcode</p> <p>23 readings from the 2D barcode labels, correct?</p> <p>24 A. So that is correct.</p>
<p style="text-align: right;">149</p> <p>1 that had the 2D barcode and I read the 2D</p> <p>2 barcode, it only read a portion of the string,</p> <p>3 the second half of the string and not the</p> <p>4 entire string; and that to me is a big anomaly</p> <p>5 that I'm trying to capture in this as another,</p> <p>6 as I stated before, as an extra data point</p> <p>7 that adds up to the anomalies that I've</p> <p>8 presented in this section.</p> <p>9 Q. Did you record your 2D barcode readings --</p> <p>10 A. I --</p> <p>11 Q. -- anywhere?</p> <p>12 A. I have recorded the 2D barcode readings.</p> <p>13 Q. And you just said that they contain half of</p> <p>14 the alphanumeric code printed, but --</p> <p>15 A. Right.</p> <p>16 Q. -- not the whole of it?</p> <p>17 A. That is correct. For these devices.</p> <p>18 Q. Okay. What are those readings in your report?</p> <p>19 MR. BUNIS: Objection. Readings? I --</p> <p>20 Q. What are the readings from the 2D barcode in</p> <p>21 your report?</p> <p>22 A. I'm not sure I -- I follow that.</p> <p>23 Q. Where did you capture --</p> <p>24 A. I --</p>	<p style="text-align: right;">151</p> <p>1 Q. Yeah. So that's what I'm asking. Why didn't</p> <p>2 you include that data in your report?</p> <p>3 A. As I said, I just used that data to drive a</p> <p>4 conclusion and capture that in the report. So</p> <p>5 that was my goal.</p> <p>6 Q. But we cannot not check that -- the conclusion</p> <p>7 or test it without the readout data, correct?</p> <p>8 MR. BUNIS: You can test it.</p> <p>9 A. Yeah, you can. Anybody can --</p> <p>10 Q. No?</p> <p>11 A. -- take a look at the products and test it for</p> <p>12 -- for the 27 products that I'm talking about.</p> <p>13 That's very simple for us to do.</p> <p>14 Q. Did you check the barcode on the label, 2D</p> <p>15 barcode -- I'm talking about 2D barcode right</p> <p>16 now -- on the rest of the transceivers as</p> <p>17 well?</p> <p>18 A. On -- when you say "rest of the transceivers,"</p> <p>19 what do you mean?</p> <p>20 Q. Well, you said the 28. But I mean the whole</p> <p>21 batch of the transceivers. Did you --</p> <p>22 A. Yes. Whatever the 2D -- and I would like to</p> <p>23 go back to the report, and I think I've</p> <p>24 mentioned this in the report. I scanned the</p>

<p style="text-align: center;">152</p> <p>1 2D barcodes wherever they were present.</p> <p>2 Q. Yeah.</p> <p>3 A. And I -- like, if you can give me a minute, I</p> <p>4 can point you to -- for the products that were</p> <p>5 deemed genuine. A total -- there was a total</p> <p>6 number of 2D barcodes that were scanned; and</p> <p>7 in all the cases they were scanned correctly,</p> <p>8 which means the entire alphanumeric string was</p> <p>9 captured in the 2D barcode.</p> <p>10 Q. You didn't record those readings in your</p> <p>11 report as well; you just state your</p> <p>12 conclusion?</p> <p>13 A. Yeah. I made an observation --</p> <p>14 Q. That's all that's -- that was my question.</p> <p>15 A. Yeah. I made an observation, and -- and I</p> <p>16 just want to clarify, because I want to be</p> <p>17 accurate here. So I scanned the 1D barcodes</p> <p>18 as part of my inspection; and as I've captured</p> <p>19 in my Excel spreadsheet, that if it matched or</p> <p>20 not matched. But I have not captured that in</p> <p>21 any document. Right. So I want to be clear</p> <p>22 that -- that you -- that is clear.</p> <p>23 On the 2D barcodes, for all the</p> <p>24 products that I scanned and it matched, I did</p>	<p style="text-align: center;">154</p> <p>1 please.</p> <p>2 Q. Well, I wasn't asking you the -- I don't know.</p> <p>3 I think you're looking for 2D barcode</p> <p>4 statement?</p> <p>5 A. Yeah.</p> <p>6 Q. Yeah.</p> <p>7 A. I have captured an overall number, to answer</p> <p>8 your question, on how that matched up, how</p> <p>9 many were observed and how many matched up for</p> <p>10 all the genuine determinations. So that is</p> <p>11 the number I was --</p> <p>12 Q. My question was: Whether you recorded the</p> <p>13 data actually that was done there. So I</p> <p>14 didn't ask about how many you looked at. But</p> <p>15 please let's go back to paragraph 52, if you</p> <p>16 would.</p> <p>17 A. Yes.</p> <p>18 Q. Okay. And I'm referring to the guidelines you</p> <p>19 used to determine whether a transceiver was</p> <p>20 authentic or counterfeit. And it says, "if</p> <p>21 all of the following conditions were true,</p> <p>22 then the transceiver was presumptively</p> <p>23 authentic"; do you see that?</p> <p>24 A. Yes.</p>
<p style="text-align: center;">153</p> <p>1 not capture that either. I just made an</p> <p>2 observation, that I -- you know, that -- that</p> <p>3 those barcodes were scanned, and they -- they</p> <p>4 -- and they were confirmed to be the same as</p> <p>5 the alphanumeric string. I did an Excel</p> <p>6 spreadsheet, capture the ones that did not</p> <p>7 match. So I just want to make sure that that</p> <p>8 -- that is -- that that is understood. But my</p> <p>9 goal was to analyze it, to capture the data,</p> <p>10 and to summarize my findings in this -- in</p> <p>11 this report.</p> <p>12 Q. Okay. Let's --</p> <p>13 A. And if you can give me a minute, I would like</p> <p>14 to point out in the report my final</p> <p>15 observation and conclusion on the 2D barcode</p> <p>16 reads for all the devices that were determined</p> <p>17 to be genuine.</p> <p>18 Q. Let's go back to Paragraph 52, please. And in</p> <p>19 that paragraph you -- your report said that</p> <p>20 you relied upon two primary guidances --</p> <p>21 guideline -- sorry -- in the determining</p> <p>22 whether the transceiver was authentic or</p> <p>23 counterfeit.</p> <p>24 A. If you could just give me a few seconds,</p>	<p style="text-align: center;">155</p> <p>1 Q. Yes. Let me first ask you, what does</p> <p>2 "presumptively" mean in your mind here, what</p> <p>3 does it mean?</p> <p>4 A. It means it's authentic.</p> <p>5 Q. Well, you said "presumptively authentic." But</p> <p>6 there's a difference between authentic and</p> <p>7 presumptively authentic. That's why the word</p> <p>8 presumptively is there, correct?</p> <p>9 A. To me it's -- I look at it the same.</p> <p>10 Q. Okay. So "presumptively" it means -- well,</p> <p>11 I'm trying to determine what you meant by</p> <p>12 that. It's your words, so --</p> <p>13 A. Yeah. I just mean to see that they're</p> <p>14 authentic.</p> <p>15 Q. Categorically authentic?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. The first bullet point here, it says,</p> <p>18 "the serial number printed on the label</p> <p>19 matched the serial number encoded in the 1D</p> <p>20 barcode"; do you see that?</p> <p>21 A. Yes.</p> <p>22 Q. Yeah. Did you find any transceivers where the</p> <p>23 serial number printed on the label did not</p> <p>24 match the serial number on the 1D barcode?</p>

156

158

1 A. No.

2 Q. You didn't find any?

3 A. No.

4 Q. Okay. So both counterfeit transceivers, the

5 ones that you deemed counterfeit, and the ones

6 that you determined authentic satisfied that

7 condition --

8 A. That is correct.

9 Q. -- correct?

10 And that condition in itself didn't

11 help you distinguish between the two?

12 A. Just that condition alone?

13 Q. Right.

14 A. That's why I take -- I take multiple factors

15 into account, because you do not want to be

16 just relying on one data point, so --

17 Q. Well --

18 A. And irrespective of what the end results are

19 my methodology will always be the same, which

20 is that I will always -- when I'm analyzing

21 these products, I will always ensure that the

22 serial number matches the 1D barcode, because

23 in my experience many counterfeiters do not go

24 through the pain of doing that; and that is

1 goes back to my point that I'm looking at

2 multiple data points, right, so if I -- it is

3 very important that for any product that I

4 deem authentic, they cannot be authentic if

5 two general products have the same serial

6 numbers. As I said before, with an authorized

7 manufacturing facility that produces these

8 products, there are quality controls in place,

9 there are checks and balances in place that

10 ensure that no two devices will have the same

11 serial numbers. Whereas, in the

12 counterfeiting world and as indicated in

13 Paragraph No. 71, by just looking at a small

14 sample, which is the 28 products that I'm

15 talking about in the last bullet, there are

16 two serial numbers that were duplicated. One

17 repeated four times, and the other repeated

18 two times.

19 So I want to be very thorough in my

20 analysis; and for that reason alone, again,

21 the point being I'm not going to look at one

22 data point, I want to be accurate, I want to

23 be thorough; and based on all these different

24 data points, I want to make a determination of

157

159

1 why it's one of my criterias for the testing

2 methodology.

3 Q. Okay. Your second bullet point is the serial

4 number printed on the label must match the

5 serial number from EEPROM?

6 A. That is correct.

7 Q. We call it EEPROM and you call EEPROM?

8 A. It's a -- yeah.

9 Q. And just for the benefit of madam reporter,

10 because --

11 A. Yeah.

12 Q. -- it's the same --

13 A. It's the same, yes.

14 Q. Okay. And then the third bullet point is "the

15 serial number printed on the label did not

16 match the serial number printed on the label

17 of any other unit of seized equipment,"

18 correct?

19 A. Correct.

20 Q. Okay. So what is the significance of this

21 third bullet point?

22 A. If I'm -- if I'm looking at a set of products,

23 in this case, about 700-odd, 700-odd products

24 it is important for me to also -- again, this

1 what I believe to be authentic and

2 counterfeit.

3 Q. And because the serial number on a transceiver

4 does not match the serial number of other in

5 the batch of 730 or so, you conclude that's a

6 unique serial number?

7 MR. BUNIS: Hold on. Can you repeat

8 that?

9 (Question read)

10 MR. BUNIS: Objection. If you

11 understand, you can answer.

12 A. I don't think the question is clear.

13 Q. Okay. I'll try to rephrase. The fact that

14 the serial number printed on the label does

15 not match the serial number on any other

16 transceiver in the batch of 730, I think, what

17 conclusion did you draw from that?

18 A. Nothing. That alone as a data point does not

19 derive any conclusion whatsoever.

20 Q. Okay.

21 A. My conclusion, as I -- I'll repeat again --

22 Q. Yeah.

23 A. -- is based on looking at multiple data points

24 and putting it all together. So I cannot

<p style="text-align: center;">160</p> <p>1 drive a conclusion based on just one data</p> <p>2 point. It is a holistic approach on how you</p> <p>3 should be authenticating a product.</p> <p>4 Q. Well, you say that "the mere fact that every</p> <p>5 one of the 647 transceivers contains a unique</p> <p>6 serial number is itself evidence that they are</p> <p>7 all authentic"; and I quote from Paragraph 67.</p> <p>8 How did you determine that they contained a</p> <p>9 unique serial number?</p> <p>10 A. I'm sorry. Can you repeat that question</p> <p>11 again?</p> <p>12 Q. Yes. You say that "the mere fact that every</p> <p>13 one of the 647 transceivers contained a unique</p> <p>14 serial number is itself evidence that they are</p> <p>15 all authentic." My question is: How did you</p> <p>16 determine that they contained unique serial</p> <p>17 numbers?</p> <p>18 A. Because within that 647 transceivers that</p> <p>19 we're talking about in this sentence that you</p> <p>20 just read to me, there were no duplicate</p> <p>21 serial numbers that were observed.</p> <p>22 Q. I understand. But is that an indication that</p> <p>23 the serial numbers were unique?</p> <p>24 A. For that 647, exactly.</p>	<p style="text-align: center;">162</p> <p>1 somewhere; you haven't seen them, but there</p> <p>2 could be serial numbers duplicated in another</p> <p>3 batch of 647 transceivers, correct?</p> <p>4 A. Correct.</p> <p>5 Q. So I'm trying to determine how you figure out</p> <p>6 that those serial numbers are unique. They're</p> <p>7 unique within the 647 batch, right?</p> <p>8 A. That is what I've been saying, yeah.</p> <p>9 Q. And that's all you're saying here?</p> <p>10 A. And that's what I've been saying, yeah.</p> <p>11 Q. Right. That's all. You're not saying that</p> <p>12 there are no transceivers somewhere with the</p> <p>13 same number on them?</p> <p>14 A. That is exactly right.</p> <p>15 Q. Okay. So --</p> <p>16 THE WITNESS: Can we take a break? Is</p> <p>17 it okay if we take a break, bathroom break for</p> <p>18 five or ten minutes?</p> <p>19 MR. BUNIS: You want to take a quick</p> <p>20 bathroom break. We'll come right back.</p> <p>21 MR. JOFFE: Right now or --</p> <p>22 MR. BUNIS: Yes.</p> <p>23 MR. JOFFE: Sure.</p> <p>24 MR. BUNIS: Thanks.</p>
<p style="text-align: center;">161</p> <p>1 Q. For that 647 --</p> <p>2 A. Exactly.</p> <p>3 Q. -- correct?</p> <p>4 But could there be serial numbers on</p> <p>5 transceivers that are outside of this 647</p> <p>6 group?</p> <p>7 MR. BUNIS: Objection, hypothetical.</p> <p>8 You can answer.</p> <p>9 A. It is possible.</p> <p>10 Q. It is possible. So there could be a</p> <p>11 transceiver out their with a serial number</p> <p>12 that's the same as one of the 647?</p> <p>13 MR. BUNIS: Objection, hypothetical.</p> <p>14 You can answer.</p> <p>15 A. If it's a genuine transceiver, that's not</p> <p>16 going to happen.</p> <p>17 Q. But if it --</p> <p>18 A. But if it's a counterfeit transceiver --</p> <p>19 Q. It --</p> <p>20 A. Yeah.</p> <p>21 Q. It could happen?</p> <p>22 A. Yeah.</p> <p>23 Q. So there could be, again, a hypothetical,</p> <p>24 647 transceivers with the same serial numbers</p>	<p style="text-align: center;">163</p> <p>1 (Recess)</p> <p>2 MR. JOFFE: Ready to resume?</p> <p>3 THE STENOGRAPHER: Yes.</p> <p>4 Q. We were discussing whether the serial numbers</p> <p>5 on the subject transceivers were unique, and</p> <p>6 I'm trying to understand what you mean by</p> <p>7 "unique." And I think in response to my</p> <p>8 question you confirmed that "unique" means it</p> <p>9 does not appear within the 647 group of</p> <p>10 transceivers, correct?</p> <p>11 A. That is correct.</p> <p>12 Q. Okay. It doesn't mean that there are no other</p> <p>13 transceivers with the same serial number</p> <p>14 counterfeit somewhere?</p> <p>15 A. I wouldn't know that but --</p> <p>16 Q. But it's possible?</p> <p>17 A. It's possible.</p> <p>18 Q. Okay. So in that sense, if there are</p> <p>19 counterfeits and duplicates of those serial</p> <p>20 numbers, the ones that you've looked at may</p> <p>21 not be unique, correct?</p> <p>22 MR. BUNIS: Objection, hypothetical.</p> <p>23 You can answer.</p> <p>24 A. Again, I don't -- what I want to reiterate is</p>

<p style="text-align: right;">164</p> <p>1 that that is one of many data points --</p> <p>2 Q. I --</p> <p>3 A. -- that I'm looking at, right, and --</p> <p>4 Q. You explained. I understand that.</p> <p>5 A. An additional point that I would like to make</p> <p>6 -- and, again, this is kind of going back to</p> <p>7 me looking at all the facts on the table.</p> <p>8 Q. But could you please answer my question,</p> <p>9 please?</p> <p>10 A. I will. And I just want to -- because this is</p> <p>11 important for --</p> <p>12 Q. It is.</p> <p>13 A. -- to answer your question, because it's</p> <p>14 important in context of what you're asking me;</p> <p>15 and I want to be accurate in how I explain</p> <p>16 this. Is my criteria were the three criterias</p> <p>17 that you see on page -- on the top of page 19.</p> <p>18 An additional observation is the observation</p> <p>19 that I'm capturing here, which is that the</p> <p>20 fact that these products were determined to be</p> <p>21 genuine were based on these -- these criterias</p> <p>22 here on the top on page -- of page 19</p> <p>23 (indicating).</p> <p>24 what I'm trying to suggest is that with</p>	<p style="text-align: right;">166</p> <p>1 labels?</p> <p>2 A. And that happened to be procured by ICT as</p> <p>3 well.</p> <p>4 Q. Yeah. Well, that's not my question. But</p> <p>5 let's --</p> <p>6 A. But that is an important point, because,</p> <p>7 again --</p> <p>8 Q. We'll get to it.</p> <p>9 A. -- I want to be accurate --</p> <p>10 Q. Yes.</p> <p>11 A. -- and I've done this for 20 years and --</p> <p>12 Q. Yeah.</p> <p>13 A. -- and I want to make sure that you understand</p> <p>14 that it is not one or two different data</p> <p>15 points that we're looking at.</p> <p>16 Q. Mm-hmm.</p> <p>17 A. I want to be accurate and I want to be as</p> <p>18 complete as possible, based on the data that</p> <p>19 was provided to me, that was in front of me.</p> <p>20 And the fact that there was no duplicates in</p> <p>21 the 647 serial numbers that were deemed</p> <p>22 genuine to me, based on the other criterias,</p> <p>23 is a big thing for me from a -- from an</p> <p>24 analysis perspective; furthermore, having</p>
<p style="text-align: right;">165</p> <p>1 this huge sample, there is no repetitions</p> <p>2 versus a very small sample that -- that -- on</p> <p>3 the counterfeit side there were two</p> <p>4 repetitions. Plus the fact that these</p> <p>5 products were sold by HP to ICT further</p> <p>6 indicates to me that these are truly unique,</p> <p>7 within this batch and outside this batch,</p> <p>8 because it's highly unlikely that a certain</p> <p>9 counterfeiter out there or one of many</p> <p>10 counterfeiters out there got access to the</p> <p>11 same serial numbers that HP sold to ICT and</p> <p>12 then replicated all the same information on</p> <p>13 the transceivers.</p> <p>14 So that to me is highly, highly</p> <p>15 unlikely.</p> <p>16 Q. You don't know that, do you?</p> <p>17 A. I'm just saying that's highly unlikely.</p> <p>18 Q. Well, I understand.</p> <p>19 A. And I would --</p> <p>20 Q. The highly unlikely scenario that you're</p> <p>21 saying is that counterfeiter getting their</p> <p>22 hands on the list of serial numbers --</p> <p>23 A. Same serial number.</p> <p>24 Q. -- and they're using them on counterfeit</p>	<p style="text-align: right;">167</p> <p>1 access to an inventory list that I was</p> <p>2 provided, which laid out these same serial</p> <p>3 numbers or the serial numbers that were sold</p> <p>4 by HP to ICT, further confirms my fact that it</p> <p>5 is highly unlikely that the same transceivers</p> <p>6 with the same serial numbers would be</p> <p>7 counterfeited and then would also reach the</p> <p>8 hands -- in the hands of ICT.</p> <p>9 Q. Okay.</p> <p>10 A. So that's -- that's something that I want to</p> <p>11 make sure that you understand, because this</p> <p>12 is -- you know, this is -- there's many things</p> <p>13 that goes into it.</p> <p>14 Q. I understand.</p> <p>15 A. And I want to be accurate and complete in how</p> <p>16 I share that with you.</p> <p>17 Q. Mr. Raina, I would love to hear you explain</p> <p>18 that at length to me. Unfortunately, we're</p> <p>19 limited to little by time. So I understand</p> <p>20 that. Now, please let's try to focus on my</p> <p>21 questions.</p> <p>22 And my question is, let's say, a</p> <p>23 hypothetical. A counterfeiter obtains a list</p> <p>24 of 647 -- or the whole list of transceivers,</p>

<p style="text-align: right;">168</p> <p>1 3,000 serial numbers, and then counterfeit,</p> <p>2 reuses those serial numbers and prints fake</p> <p>3 labels, a program, EEPROM data, and creates a</p> <p>4 set of 3,000 fake transceivers. Is that</p> <p>5 possible?</p> <p>6 MR. BUNIS: Objection, hypothetical.</p> <p>7 You can answer.</p> <p>8 A. Highly unlikely.</p> <p>9 Q. No. But it's possible?</p> <p>10 A. It's possible, very small chance. Very small</p> <p>11 chance.</p> <p>12 Q. Why is that a small chance?</p> <p>13 A. Just as I explained to you, the -- so many</p> <p>14 things have to happen for this to happen. You</p> <p>15 have to understand the counterfeiters are in</p> <p>16 the business of counterfeiting products</p> <p>17 quickly. So what they do is they just take</p> <p>18 serial numbers as is observed by the</p> <p>19 transceivers that I determined to be</p> <p>20 counterfeit. If you look at the serial</p> <p>21 numbers in the EEPROM, they -- they start with</p> <p>22 a P9. They do not have to go -- they either</p> <p>23 can't or will not go through the efforts that</p> <p>24 you just outlayed; and that's why I'm saying</p>	<p style="text-align: right;">170</p> <p>1 Q. Of course.</p> <p>2 A. And that's what I've done. And the facts that</p> <p>3 I observed and the determination that I made</p> <p>4 is in this report. I cannot speak to</p> <p>5 something that I just did not analyze at all.</p> <p>6 It's just -- it's -- you know, it's</p> <p>7 hypothetical.</p> <p>8 Q. Oh, no. You analyzed this list --</p> <p>9 A. Yeah.</p> <p>10 Q. -- the 647 on inventory list; you look at them</p> <p>11 and you record your data. And the serial</p> <p>12 number on inventory list matches the serial</p> <p>13 number on the label, 1D, and EEPROM --</p> <p>14 A. EEPROM and the --</p> <p>15 Q. -- correct?</p> <p>16 A. -- 2D barcode matched the --</p> <p>17 Q. Okay. So --</p> <p>18 A. -- alphanumeric string, wherever the 2D was</p> <p>19 present as well.</p> <p>20 Q. Yes.</p> <p>21 A. And then they were not duplicates when this --</p> <p>22 Q. The were not duplicates?</p> <p>23 A. Yeah.</p> <p>24 Q. So what I'm saying is, if that whole set that</p>
<p style="text-align: right;">169</p> <p>1 that the chances of that happening is very</p> <p>2 small.</p> <p>3 They can easily pick up any silly</p> <p>4 number like they've done with the 26 products</p> <p>5 that I talked about and just write that in the</p> <p>6 EEPROM and send those products as counterfeit</p> <p>7 products.</p> <p>8 Q. So -- but from any hypothetical, if you assume</p> <p>9 that the counterfeiter obtained the inventory</p> <p>10 list of transceivers with the serial number</p> <p>11 and other information, they had a list, and</p> <p>12 then counterfeiters reuses those serial numbers</p> <p>13 and make another set of fake transceivers and</p> <p>14 sell them somewhere else. There would be two</p> <p>15 batches of things. How would you distinguish</p> <p>16 between the two?</p> <p>17 You assume -- you're now saying that</p> <p>18 this list of 647 is genuine, because it</p> <p>19 contains unique serial numbers. I'm saying if</p> <p>20 you had a set of fake transceivers, as I just</p> <p>21 explained, used numbers from the inventories,</p> <p>22 how would you distinguish between the two?</p> <p>23 A. So my job in this particular case was to</p> <p>24 analyze these set of transceivers.</p>	<p style="text-align: right;">171</p> <p>1 you analyzed was counterfeit, if the</p> <p>2 counterfeiters used -- counterfeiters reused</p> <p>3 serial numbers and printed fake labels with</p> <p>4 serial numbers and programmed EEPROM data with</p> <p>5 those serial numbers, how would you</p> <p>6 distinguish between them?</p> <p>7 MR. BUNIS: Objection, hypothetical.</p> <p>8 You can answer.</p> <p>9 A. And in my years of experience -- and this is</p> <p>10 20-plus years of experience having analyzed</p> <p>11 hundreds and thousands of these products, the</p> <p>12 counterfeiters -- that's why my test -- the</p> <p>13 reason why my testing methodology is what it</p> <p>14 is. Counterfeiters do not get each and every</p> <p>15 of these managers right. They become lazy.</p> <p>16 They can't or they will not replicate all the</p> <p>17 data points that I'm looking at. My goal is</p> <p>18 to find that anomalous behavior.</p> <p>19 So that is why I look at multiple data</p> <p>20 points. This is based on my experience. I</p> <p>21 know that sometimes they'll duplicate serial</p> <p>22 numbers, which has been proven by -- by the</p> <p>23 26 -- 28 that were deemed counterfeit. The</p> <p>24 serial number on the label will not match the</p>

<p style="text-align: center;">172</p> <p>1 serial number in the EEPROM, again, showcased</p> <p>2 by the products that were deemed counterfeit.</p> <p>3 They will make one of many mistakes. And</p> <p>4 that's why my testing methodology relies on</p> <p>5 their experience and how counterfeiters work.</p> <p>6 They're goal again is not to exactly</p> <p>7 replicated a given device. Their goal is to</p> <p>8 just do enough to be able to sell the product.</p> <p>9 So I hope that you understand that. That's</p> <p>10 why I continue to say that in my experience</p> <p>11 that is just not going to happen. With the</p> <p>12 counterfeiters with -- they just -- to your</p> <p>13 point, they do not get the serial numbers, in</p> <p>14 this case, from the inventory list, but then</p> <p>15 be able to program each and every field in the</p> <p>16 EEPROM, like a general device.</p> <p>17 Q. And, I mean, your report also says that --</p> <p>18 page 10, Paragraph 35, discussing "Counterfeit</p> <p>19 Transceivers." In Paragraph 35, Bullet</p> <p>20 Point 2, it talks about "EEPROM programming."</p> <p>21 And it says that "Counterfeiters use widely</p> <p>22 available tools to program information into</p> <p>23 the EEPROM, including the identification</p> <p>24 information referenced above (serial numbers,</p>	<p style="text-align: center;">174</p> <p>1 A. So, again, I'll kind of repeat myself. The</p> <p>2 mere fact that they have the serial numbers</p> <p>3 does not mean that the counterfeiter as -- as</p> <p>4 -- again, I'll point to No. 71. They might</p> <p>5 have access to the serial numbers. They might</p> <p>6 not. Either they can't or they won't go</p> <p>7 through the pains of making sure that that</p> <p>8 serial number is also captured or printed on</p> <p>9 the label.</p> <p>10 So that's why if you look at 71, the</p> <p>11 serial numbers -- which is point No. 70 that</p> <p>12 I'm trying to make. Just having access</p> <p>13 doesn't mean anything. They also have to</p> <p>14 replicate this across the board, the serial</p> <p>15 number redundancy that I'm talking about, it</p> <p>16 being on the label, being on the 1D barcode,</p> <p>17 being on the EEPROM. All of that requires an</p> <p>18 infrastructure. It requires time. It</p> <p>19 requires investment. Something that the</p> <p>20 counterfeiters either don't have or don't want</p> <p>21 to be bothered with.</p> <p>22 And that's why if you read No. 70, for</p> <p>23 each of the 28 transceivers in Bag No. 16, the</p> <p>24 serial number on the product label did not</p>
<p style="text-align: center;">173</p> <p>1 part numbers, and the like)." And</p> <p>2 counterfeiters do this in an attempt to 'fool'</p> <p>3 or mislead purchasers by populating the EEPROM</p> <p>4 with data that has the appearance of</p> <p>5 legitimacy"; do you see that?</p> <p>6 A. Yes.</p> <p>7 Q. Yeah. And then you said, "But, as I explained</p> <p>8 below, counterfeiters cannot completely</p> <p>9 replicate genuine OEM identifying information</p> <p>10 because they must invent serial numbers and</p> <p>11 other such unique identifiers"; do you see</p> <p>12 that?</p> <p>13 A. Yes.</p> <p>14 Q. And my question is: What if they don't have</p> <p>15 to invent their serial numbers; what if they</p> <p>16 have a list of serial numbers, genuine serial</p> <p>17 numbers, they don't have to invent; they can</p> <p>18 only reuse those numbers, correct?</p> <p>19 A. Correct.</p> <p>20 Q. So if counterfeiters reuse genuine serial</p> <p>21 numbers and reprogram EEPROM with those</p> <p>22 numbers and print labels for those numbers,</p> <p>23 how would your methodology then allow to</p> <p>24 distinguish between authentic and counterfeit?</p>	<p style="text-align: center;">175</p> <p>1 match the serial number recorded EEPROM. So</p> <p>2 just having access to the serial number does</p> <p>3 not mean the counterfeiters will create that</p> <p>4 serial number redundancy across the board,</p> <p>5 like I talked about.</p> <p>6 Q. Going back through your Paragraph 35 where you</p> <p>7 explained that counterfeiters cannot</p> <p>8 completely replicate genuine identifying</p> <p>9 informing because they must invent serial</p> <p>10 numbers and other such unique identifiers.</p> <p>11 And my question was: That rather than</p> <p>12 inventing serial numbers, they can reuse</p> <p>13 serial numbers, genuine serial numbers from</p> <p>14 the inventory list, correct?</p> <p>15 A. That is possible.</p> <p>16 Q. They don't have to invent serial numbers --</p> <p>17 A. That is possible.</p> <p>18 Q. -- they can reuse the serial numbers?</p> <p>19 And if they do, they use serial numbers</p> <p>20 for EEPROM programming and for printing</p> <p>21 labels; then that transceiver will satisfy</p> <p>22 your criteria for genuine, correct.</p> <p>23 A. And that's why I look at other data points as</p> <p>24 well, right. So that is why I'm also looking</p>

<p style="text-align: center;">176</p> <p>1 at the 2D barcode and the 2D barcode is</p> <p>2 matching with the alphanumeric string. The</p> <p>3 counterfeiters -- what I'm trying to say is,</p> <p>4 again, based on my experience, the</p> <p>5 counterfeiters are not going to go through</p> <p>6 each and every step to make it look like a</p> <p>7 genuine product again. They either can't or</p> <p>8 they won't. Hence, they're going to drop the</p> <p>9 ball somewhere; and my goal is, as I am</p> <p>10 analyzing these products, is to identify that</p> <p>11 anomalous behavior and capture that to the</p> <p>12 best of my ability, based on the data that I</p> <p>13 have.</p> <p>14 And for the data that I had for the 647</p> <p>15 products that I'm talking about, there was</p> <p>16 none of this anomalous behavior. The serial</p> <p>17 number on the product matched the serial</p> <p>18 number on the EE -- EEPROM or the products</p> <p>19 that I did determined to be counterfeit, they</p> <p>20 did not. So to me that was one indication.</p> <p>21 Then I went forward. I moved ahead on all the</p> <p>22 genuine transceivers, the 2D barcode read</p> <p>23 exactly the same as the alphanumeric string</p> <p>24 next to it. In the case of the trans- --</p>	<p style="text-align: center;">178</p> <p>1 there is incentive to counterfeit, correct?</p> <p>2 A. Correct.</p> <p>3 Q. So -- okay. Not only counterfeiters that</p> <p>4 reprogram EEPROM data, on the next page of</p> <p>5 your report, page 11, Bullet Point 2 from the</p> <p>6 top, you said that counterfeiters also print</p> <p>7 fake labels designed to look as genuine OEM</p> <p>8 labels, which includes serial numbers,</p> <p>9 barcodes, and other identifying information;</p> <p>10 do you see that?</p> <p>11 A. Yes.</p> <p>12 Q. Yeah. And then you say "it takes time,</p> <p>13 effort, and technology (such as 1D or 2D</p> <p>14 barcode generators) to match up serial numbers</p> <p>15 across the various elements," correct?</p> <p>16 A. I'm sorry. Can you tell me which paragraph</p> <p>17 you're looking at?</p> <p>18 Q. Yeah. It's "Label Printing" where you</p> <p>19 described how counterfeiters bring fake</p> <p>20 labels.</p> <p>21 A. And which sentence are you referring to?</p> <p>22 Q. It says that that is because "it takes time,</p> <p>23 effort, and technology (such as 1D and D2</p> <p>24 barcode generators) to match up serial numbers</p>
<p style="text-align: center;">177</p> <p>1 counterfeit transceivers, wherever the 2D</p> <p>2 barcode was present, it did not.</p> <p>3 So as you can see, I'm taking this</p> <p>4 holistic approach knowing very well as to how</p> <p>5 the counterfeiters work and how did they</p> <p>6 conduct their business. As you can</p> <p>7 understand, they are in the business of making</p> <p>8 money. They are not here in the business of</p> <p>9 adhering to some principles and guidelines on</p> <p>10 how all these products have to be</p> <p>11 manufactured. And that's what I'm relying on,</p> <p>12 because that's what, you know, my experience</p> <p>13 has taught me.</p> <p>14 Q. And the transceivers are widely counterfeit</p> <p>15 products, correct?</p> <p>16 A. That is correct.</p> <p>17 Q. You say that in Paragraph 33 the transceivers</p> <p>18 are most widely counterfeited for the product</p> <p>19 categories you worked with --</p> <p>20 A. And the --</p> <p>21 Q. -- correct?</p> <p>22 A. And the -- yeah.</p> <p>23 Q. And the transceivers typically have high</p> <p>24 profit margins, correct? So economically</p>	<p style="text-align: center;">179</p> <p>1 across the various elements of a transceiver"?</p> <p>2 A. Correct.</p> <p>3 Q. Yeah.</p> <p>4 A. And it goes on to say, "steps counterfeiters</p> <p>5 do not bother" --</p> <p>6 Q. Steps do not --</p> <p>7 THE STENOGRAPHER: Wait. Wait. I can</p> <p>8 only take one.</p> <p>9 THE WITNESS: I'm sorry. I apologize.</p> <p>10 A. I just want to reiterate that the sentence</p> <p>11 does go on and says, "steps counterfeiters do</p> <p>12 not other (or cannot afford) to take."</p> <p>13 Q. Well, technology is available, correct, 1D and</p> <p>14 2D barcode generators are -- are available?</p> <p>15 A. Correct.</p> <p>16 Q. Right. So it takes time, effort, and</p> <p>17 technology; but if the counterfeiting high</p> <p>18 margin, high profit margin products, it's</p> <p>19 possibility they will do it --</p> <p>20 A. In my experience --</p> <p>21 Q. -- is that --</p> <p>22 A. -- as I said before, these are not ethical</p> <p>23 people. Right. They're -- they're bad guys.</p> <p>24 They're leveraging technology to counterfeit</p>

<p style="text-align: center;">180</p> <p>1 products and to defraud companies and</p> <p>2 corporations out there. But they're not --</p> <p>3 they're not -- that is an illegitimate</p> <p>4 business. So they're not going to go through</p> <p>5 the pains and efforts and -- and put the</p> <p>6 resources for them to replicate exactly a</p> <p>7 genuine device. Their goal is to produce as</p> <p>8 much as possible, as quickly as possible, and</p> <p>9 as close as possible so that for an end</p> <p>10 customer it comes out looking like a genuine</p> <p>11 device.</p> <p>12 But that's where somebody like me sits</p> <p>13 down. We take a look at these products. We</p> <p>14 analyze in-depth and determine if it is,</p> <p>15 indeed, a genuine or a counterfeit product.</p> <p>16 Q. Yeah. But counterfeiters also like to avoid</p> <p>17 detection, right?</p> <p>18 A. At the surface. At the surface. Not</p> <p>19 necessarily in the details. Because their</p> <p>20 goal is they're handing out a product to</p> <p>21 someone; and if it's a Cisco transceiver</p> <p>22 they've counterfeited, just make sure that it</p> <p>23 has a Cisco logo on it. So if anybody looks</p> <p>24 at it, okay, this is good. All right. I'll</p>	<p style="text-align: center;">182</p> <p>1 A. -- and --</p> <p>2 Q. But if they didn't make a mistake, if they</p> <p>3 printed the label and programmed EEPROM data</p> <p>4 correctly, then you would not -- you would --</p> <p>5 then you would, based on those criteria, list</p> <p>6 it as genuine, correct?</p> <p>7 MR. BUNIS: Objection, misstates his</p> <p>8 prior testimony.</p> <p>9 Q. I'm asking the question. You said that they</p> <p>10 will make mistakes in replicating or reusing</p> <p>11 the serial numbers, and I'm asking if they</p> <p>12 didn't make a mistake, if they replicated the</p> <p>13 serial number on the label and the serial</p> <p>14 number in the EEPROM, and you read those</p> <p>15 numbers and you see that they match, would you</p> <p>16 determine that the transceiver is counterfeit</p> <p>17 or authentic?</p> <p>18 MR. BUNIS: Objection, misstates his</p> <p>19 prior testimony. You can answer.</p> <p>20 THE WITNESS: I'm sorry, Mike. I</p> <p>21 didn't hear that.</p> <p>22 MR. BUNIS: I said misstates your prior</p> <p>23 testimony.</p> <p>24 A. Yeah. So I would not just be looking at -- at</p>
<p style="text-align: center;">181</p> <p>1 purchase it. No questions asked. The same</p> <p>2 with H3C. The same with Juniper.</p> <p>3 But they will not necessary -- and,</p> <p>4 again, this is based on my experience</p> <p>5 (indicating) of analyzing thousands of these.</p> <p>6 They will not necessarily go through the pain</p> <p>7 of ensuring the minuteness of details and the</p> <p>8 managers that I'm talking about. They're</p> <p>9 going to cut corners. They're going to drop</p> <p>10 the ball somewhere. They're going to -- it's</p> <p>11 -- it's not organized infracture. So they</p> <p>12 will make mistakes, and those are the mistakes</p> <p>13 that I'm looking at. Those are the anomalies</p> <p>14 that I'm looking at when I make a</p> <p>15 determination; that's what I've captured in</p> <p>16 the report for products where I saw those</p> <p>17 anomalies.</p> <p>18 Q. And if they didn't make a mistake, then -- if</p> <p>19 they didn't make a mistake in the label and</p> <p>20 EEPROM data, then you would characterize it as</p> <p>21 a genuine transceiver, correct?</p> <p>22 A. Again, if I -- I look at all the multiple data</p> <p>23 points --</p> <p>24 Q. No, I understand.</p>	<p style="text-align: center;">183</p> <p>1 just what outlines. As I said, I would also</p> <p>2 be looking at other criterias, in this case,</p> <p>3 the 2D barcode, for example, where the 2D</p> <p>4 barcode did not match for the products that</p> <p>5 were deemed counterfeit, and matched for the</p> <p>6 products that I deemed authentic. So that's</p> <p>7 another criteria that I would be looking at,</p> <p>8 as I stated in my report as well.</p> <p>9 Q. Correct. But there's also -- the 2D barcode</p> <p>10 is a label that could be printed on the 2D</p> <p>11 printer --</p> <p>12 A. Correct.</p> <p>13 Q. -- correct?</p> <p>14 So if the label -- if the trans- -- if</p> <p>15 the counterfeiter didn't make a mistake in</p> <p>16 reusing the serial numbers on the EEPROM data</p> <p>17 and on the label, and if they didn't make a</p> <p>18 mistake of printing the 2D label with the</p> <p>19 alphanumeric code next to it, so you would</p> <p>20 determine that the transceiver is genuine,</p> <p>21 correct?</p> <p>22 A. If it fulfilled all my criterias, then I would</p> <p>23 -- I would say that the product is genuine,</p> <p>24 based on the criterias that I've laid out.</p>

<p style="text-align: right;">184</p> <p>1 And that's what -- that's what goes to the</p> <p>2 basis of my report.</p> <p>3 Q. All right. Okay. So I understand. So if --</p> <p>4 and correct me if I -- if you disagree, but if</p> <p>5 a counterfeiter -- in this scenario, the</p> <p>6 counterfeiter has a list of serial numbers</p> <p>7 and -- inventory list of serial numbers and</p> <p>8 duplicates them, those serial numbers on the</p> <p>9 label and EEPROM data, and doesn't make a</p> <p>10 mistake in duplicating them, you would</p> <p>11 determine that those transceivers are</p> <p>12 authentic?</p> <p>13 MR. BUNIS: Objection. Are you done?</p> <p>14 MR. JOFFE: Yeah.</p> <p>15 MR. BUNIS: Objection, misstates his</p> <p>16 prior testimony. You can answer.</p> <p>17 A. So I would look at the other data points as</p> <p>18 well and -- which are essentially the points</p> <p>19 that I've laid out in my report.</p> <p>20 Q. In Paragraph 71, correct?</p> <p>21 A. Oh, not 71. It would be Paragraph 52.</p> <p>22 Q. Yeah. But we went through Paragraph 52, and</p> <p>23 we've -- I think we've agreed that serial</p> <p>24 numbers printed on the label matching the</p>	<p style="text-align: right;">186</p> <p>1 that would also be satisfied, that condition</p> <p>2 in Bullet Point 3?</p> <p>3 MR. BUNIS: Objection, vague.</p> <p>4 A. Could you repeat that again?</p> <p>5 Q. Yes. If the counterfeiter reused the serial</p> <p>6 numbers from the genuine list of serial</p> <p>7 numbers, if the trans- -- if the counterfeiter</p> <p>8 had had a set of transceivers that are on the</p> <p>9 inventory list, authentic set of authentic</p> <p>10 transceivers from the inventory list, and</p> <p>11 reused those numbers to make another batch of</p> <p>12 counterfeit transceivers, then your Bullet</p> <p>13 Point No. 3 condition would be satisfied,</p> <p>14 correct?</p> <p>15 MR. BUNIS: Can I have that again?</p> <p>16 (Question read)</p> <p>17 MR. BUNIS: Objection, vague. You can</p> <p>18 answer if you understand the question.</p> <p>19 A. What I will reiterate with Point No. 3 is,</p> <p>20 what I'm trying to say here is that the serial</p> <p>21 number printed on the label -- that serial</p> <p>22 number printed on the label did not match the</p> <p>23 serial number on the label of any other</p> <p>24 product within this batch of the seized</p>
<p style="text-align: right;">185</p> <p>1 serial numbers encoded in 1D barcode --</p> <p>2 A. Yes. And in these --</p> <p>3 Q. -- they -- and that was done both on genuine</p> <p>4 transceivers and authen- -- on counterfeit</p> <p>5 transceivers, correct?</p> <p>6 A. Correct.</p> <p>7 Q. So that was replicated without mistakes?</p> <p>8 So then the serial number printed on</p> <p>9 the label and the serial number from EEPROM,</p> <p>10 my question was that if the serial number</p> <p>11 printed on the label matches the serial number</p> <p>12 that the counterfeiter programmed through</p> <p>13 EEPROM, then that will satisfy the second</p> <p>14 criteria --</p> <p>15 A. Correct.</p> <p>16 Q. Right?</p> <p>17 The serial number -- the third one, the</p> <p>18 serial number printed on the label doesn't</p> <p>19 match the serial number printed on the label</p> <p>20 for any other unit of seized equipment,</p> <p>21 correct?</p> <p>22 A. Correct.</p> <p>23 Q. If the transceivers duplicates or reuses the</p> <p>24 list of serial numbers of genuine equipment,</p>	<p style="text-align: right;">187</p> <p>1 equipment. So it did not. If it did, then</p> <p>2 that product would not be counterfeit in my</p> <p>3 determination. So it was a unique serial</p> <p>4 number. It has to be a unique serial number</p> <p>5 in this batch that I analyzed for it to</p> <p>6 fulfill one of these four criterias.</p> <p>7 Q. Yes. What I'm asking you is if you -- if a</p> <p>8 counterfeiter had the list of serial numbers</p> <p>9 on the genuine inventory list and then reused</p> <p>10 those numbers and printed labels with those</p> <p>11 numbers and attached them to fake</p> <p>12 transceivers --</p> <p>13 A. Then --</p> <p>14 Q. -- that -- that list of serial numbers from</p> <p>15 fake transceivers would be -- would also not</p> <p>16 match any other serial numbers on that list?</p> <p>17 In other words, if you have a list of, let's</p> <p>18 say, 647 serial numbers that are all unique</p> <p>19 within that group of 647, you reuse them, you</p> <p>20 duplicate them with counterfeit serial</p> <p>21 numbers, that also 647, exactly the same</p> <p>22 numbers, they would also not be matched within</p> <p>23 that group of 647?</p> <p>24 A. So this Point No. 3 --</p>

<p style="text-align: right;">188</p> <p>1 Q. Yeah.</p> <p>2 A. -- is -- is only relevant to the -- the</p> <p>3 devices that I analyzed, right.</p> <p>4 Q. Of course.</p> <p>5 A. This does not take into account any other</p> <p>6 possibilities or circumstance. Right. This</p> <p>7 is based on I had 781 products in front of me;</p> <p>8 and out of these 781 that I determined to be</p> <p>9 genuine, I -- the point is that there should</p> <p>10 not be duplicates here. I -- I cannot be</p> <p>11 saying that new products are genuine within</p> <p>12 this batch if they have the same serial</p> <p>13 number, because the serial numbers are</p> <p>14 supposed to be unique.</p> <p>15 Q. But the fact that the serial number is unique</p> <p>16 within the batch does not indicate that the</p> <p>17 batch is genuine, does it?</p> <p>18 A. For the products that I'm analyzing, it's a</p> <p>19 data point that I look at, one of many data</p> <p>20 points that I look at.</p> <p>21 Q. I'm asking about this particular point,</p> <p>22 because this is an important point. The fact</p> <p>23 that the group of 647 transceivers does not</p> <p>24 have a duplicated serial number in them, is it</p>	<p style="text-align: right;">190</p> <p>1 647 products that I deemed genuine, based on</p> <p>2 the other three criterias, if there was a</p> <p>3 serial number that was repeated twice or more,</p> <p>4 then I would have deemed those products</p> <p>5 counterfeit --</p> <p>6 Q. And --</p> <p>7 A. -- because a serial number cannot be repeated.</p> <p>8 MR. BUNIS: Dimitry? I just got to --</p> <p>9 MR. JOFFE: Yeah.</p> <p>10 MR. BUNIS: Okay.</p> <p>11 MR. JOFFE: Sure.</p> <p>12 MR. BUNIS: So we can go off.</p> <p>13 (Discussion off the record)</p> <p>14 (Recess)</p> <p>15 MR. JOFFE: Shall we?</p> <p>16 THE WITNESS: Yeah.</p> <p>17 Q. So let's go back to this list of four bullet</p> <p>18 points on page 19 where you say that if all</p> <p>19 the following conditions are met, then the</p> <p>20 transceiver was presumptively authentic.</p> <p>21 (Interruption)</p> <p>22 Q. Okay. So question to you: was that -- well,</p> <p>23 let's say if hypothetically there is a set of</p> <p>24 genuine transceivers and there is a set of</p>
<p style="text-align: right;">189</p> <p>1 an indicator that the transceivers are</p> <p>2 genuine?</p> <p>3 A. It's definitely an indicator for me that it is</p> <p>4 not counterfeit --</p> <p>5 Q. That --</p> <p>6 A. -- if all the other criterias are met.</p> <p>7 Q. Well, if the counterfeiter reuses the list of</p> <p>8 genuine serial numbers and creates a set of</p> <p>9 counterfeit transceivers with the same serial</p> <p>10 numbers that were on the genuine list, you</p> <p>11 would look at those numbers and you will see</p> <p>12 that they don't -- they are not repeated</p> <p>13 within that 647 list, correct?</p> <p>14 A. Yeah. Hypothetically speaking --</p> <p>15 Q. Yes.</p> <p>16 A. -- if I had access to what you're saying,</p> <p>17 then, yes, my determination would be that the</p> <p>18 serial number is repeated; and hence, it fails</p> <p>19 the criteria and it's -- it can't be</p> <p>20 authentic. But my goal and my objective and</p> <p>21 what I was asked to do was just to analyze the</p> <p>22 products that were in front of me and make my</p> <p>23 deduction based on that.</p> <p>24 To your point, if within those</p>	<p style="text-align: right;">191</p> <p>1 transceivers where counterfeiters copied the</p> <p>2 label information and fake the labels and</p> <p>3 reprogram EEPROM data using that information.</p> <p>4 So you would have two sets of transceivers:</p> <p>5 One fake; one genuine --</p> <p>6 A. Okay.</p> <p>7 Q. -- correct?</p> <p>8 And my question is: which ones of</p> <p>9 these criteria would help you to determine</p> <p>10 which one is fake, which one is genuine?</p> <p>11 which of these trans- -- because -- let me</p> <p>12 just go one by one. The first one, the serial</p> <p>13 number printed on the label matched the serial</p> <p>14 number encoded in the 1D barcode. That would</p> <p>15 be true for both the fake and the genuine</p> <p>16 transceivers, correct?</p> <p>17 A. Correct.</p> <p>18 Q. Okay. Then the serial number printed on the</p> <p>19 label matches the serial number right from the</p> <p>20 EEPROM. In my hypothetical, that scenario</p> <p>21 would also be satisfied if the fake set was</p> <p>22 made reusing and copying the original serial</p> <p>23 numbers, correct?</p> <p>24 A. Correct.</p>

<p style="text-align: right;">192</p> <p>1 Q. Right. And then third bullet point, the</p> <p>2 serial number printed on the label did not</p> <p>3 match the serial number printed on the label</p> <p>4 of any other unit. That would also be true</p> <p>5 for the genuine set and for the set of</p> <p>6 counterfeit transceivers --</p> <p>7 A. That is correct.</p> <p>8 Q. -- correct?</p> <p>9 A. And there is was one to one copy --</p> <p>10 Q. Right.</p> <p>11 A. -- and --</p> <p>12 Q. One to one.</p> <p>13 A. -- assuming that they did not --</p> <p>14 Q. Absolutely.</p> <p>15 A. -- print the serial number multiple times</p> <p>16 which --</p> <p>17 Q. Correct.</p> <p>18 A. -- the counterfeiters do.</p> <p>19 Q. But that's not our scenario. The scenario is</p> <p>20 the counterfeiter is reusing the same numbers,</p> <p>21 serial numbers that's on the original list.</p> <p>22 And then the last one, whenever they</p> <p>23 have 2D barcode, as long as the 2D barcode</p> <p>24 matches the alphanumeric string next to it,</p>	<p style="text-align: right;">194</p> <p>1 demonstrate that the original inventory list</p> <p>2 contained that alphanumeric string that's</p> <p>3 encoded in 2D barcode, that would be</p> <p>4 information that counterfeiters could copy,</p> <p>5 correct?</p> <p>6 A. Correct. If that information is available,</p> <p>7 yes.</p> <p>8 Q. Yes. Okay. So if counterfeiters had the</p> <p>9 information about a particular set of</p> <p>10 transceivers, serial numbers and</p> <p>11 alphanumeric strings printed on them, they</p> <p>12 could program that information and print fake</p> <p>13 labels and program EEPROM data, and these four</p> <p>14 criterias would not be able to -- would not be</p> <p>15 able to tell you which set is counterfeit and</p> <p>16 which one is genuine?</p> <p>17 A. Yeah. And just -- on the 2D barcode, I just</p> <p>18 want to be clear --</p> <p>19 Q. Yeah?</p> <p>20 A. -- it's just not them copying the 2D barcode,</p> <p>21 but also ensuring that the 2D barcode that</p> <p>22 they generate, which they will have to</p> <p>23 generate in their counterfeit labels, that is</p> <p>24 the entire alphanumeric string that is printed</p>
<p style="text-align: right;">193</p> <p>1 that will satisfy the fourth condition.</p> <p>2 A. If they had access to that 2D barcode</p> <p>3 information --</p> <p>4 Q. Yes.</p> <p>5 A. -- which is not on the inventory list at all.</p> <p>6 It was not provided in the inventory list. So</p> <p>7 I'm assuming your hypothet- -- your</p> <p>8 hypothetical condition is talking about that</p> <p>9 somehow the inventory list was -- was leaked</p> <p>10 or --</p> <p>11 Q. Yes. Yes.</p> <p>12 A. But the inventory list does not have 2D</p> <p>13 barcode information --</p> <p>14 Q. It doesn't?</p> <p>15 A. -- captured. It doesn't.</p> <p>16 Q. And you're sure of that?</p> <p>17 A. Yes.</p> <p>18 Q. How?</p> <p>19 A. Because I was provided the inventory list.</p> <p>20 (Interruption)</p> <p>21 MR. JOFFE: Sorry. I think that's my</p> <p>22 phone.</p> <p>23 (Discussion off the record)</p> <p>24 Q. You were -- and if you we were able to</p>	<p style="text-align: right;">195</p> <p>1 next to it as well, which in the case of my</p> <p>2 analysis for the counterfeit transceivers</p> <p>3 where there were 2D barcodes, when I read the</p> <p>4 2D barcode, it only captured half of the</p> <p>5 alphanumeric string.</p> <p>6 Q. Well, the -- I think you mentioned 300 or so</p> <p>7 2D barcodes that captured the full string,</p> <p>8 correct?</p> <p>9 A. Correct.</p> <p>10 Q. So -- and I think we agree that 2D barcodes or</p> <p>11 1D barcodes could be counterfeited --</p> <p>12 A. Correct.</p> <p>13 Q. -- correct?</p> <p>14 So that's what I'm asking. If you had</p> <p>15 a set of transceivers where counterfeiters</p> <p>16 used -- reused the original serial numbers and</p> <p>17 make a copy of them, then your four criterias</p> <p>18 here would not be able to distinguish between</p> <p>19 the two?</p> <p>20 A. That is correct.</p> <p>21 Q. Correct. So if -- in that scenario if a</p> <p>22 counterfeit transceiver satisfies all this</p> <p>23 four criteria, it would be counterfeit still?</p> <p>24 Your paragraph says that "if all of the</p>

<p style="text-align: right;">196</p> <p>1 following conditions were true, the</p> <p>2 transceiver was presumptively authentic."</p> <p>3 (Interruption)</p> <p>4 THE WITNESS: Excuse me. I'm sorry.</p> <p>5 If you can just keep that over there.</p> <p>6 A. I'm sorry. Can you repeat that again?</p> <p>7 Q. Yeah. Your Paragraph 52 says, "if all of the</p> <p>8 following conditions were true, then the</p> <p>9 transceiver was presumptively authentic." And</p> <p>10 we've discussed that before. You said</p> <p>11 "presumptively authentic" in this case means</p> <p>12 categorically, I think.</p> <p>13 So we just discussed the scenario where</p> <p>14 the counterfeit transceiver would match all</p> <p>15 the four criteria, and it would still not be</p> <p>16 authentic, correct?</p> <p>17 MR. BUNIS: Objection, hypothetical.</p> <p>18 You can answer.</p> <p>19 Q. Yeah.</p> <p>20 A. It would still not be authentic?</p> <p>21 Q. Authentic. Authentic. Genuine.</p> <p>22 A. If -- I'm not sure if I understood the</p> <p>23 question. If hypothetically speaking --</p> <p>24 Q. Yeah.</p>	<p style="text-align: right;">198</p> <p>1 report refers to 1D, 2D, EEPROM data, with</p> <p>2 serial numbers, each of them could be</p> <p>3 counterfeited?</p> <p>4 A. Yes, that's correct.</p> <p>5 Q. Yes. And you're saying that all the --</p> <p>6 counterfeiters could do all that; they would</p> <p>7 not necessarily go into trouble of doing it --</p> <p>8 A. Mm-hmm.</p> <p>9 Q. -- or they would not have the information such</p> <p>10 as alphanumeric string numbers or the serial</p> <p>11 numbers --</p> <p>12 A. Or they --</p> <p>13 Q. -- or the genuine serial numbers. If they do</p> <p>14 have that information, then they can</p> <p>15 counterfeit the whole set; and this criterias</p> <p>16 then, they would not help you to distinguish</p> <p>17 between a counterfeit and genuine set,</p> <p>18 correct?</p> <p>19 MR. BUNIS: Objection, misstates his</p> <p>20 prior testimony. Go ahead.</p> <p>21 Q. Correct?</p> <p>22 A. Hypothetically speaking, if that -- all of</p> <p>23 that happens, where, as I said, in my</p> <p>24 experience the chances of that are absolutely</p>
<p style="text-align: right;">197</p> <p>1 A. -- if the counterfeiters, where the chances</p> <p>2 are, as I've said, is absolutely zero, if they</p> <p>3 were to -- to exactly replicate the four</p> <p>4 bullet items that I'm looking at without any</p> <p>5 errors or anomalies, then, yes, the products</p> <p>6 would be deemed genuine or authentic.</p> <p>7 Q. And that would be incorrect?</p> <p>8 A. In that case, that would be incorrect, yes.</p> <p>9 Q. Okay.</p> <p>10 Okay. So I just want to make sure --</p> <p>11 we'll summarize on this point. Serial number</p> <p>12 labels could be counterfeited --</p> <p>13 A. Yes.</p> <p>14 Q. -- correct?</p> <p>15 1D barcodes could be counterfeited?</p> <p>16 A. Correct.</p> <p>17 Q. And EEPROM could be reprogrammed --</p> <p>18 A. Correct.</p> <p>19 Q. -- by counterfeiters, correct?</p> <p>20 A. Correct.</p> <p>21 Q. So 2D barcodes could also be counterfeited,</p> <p>22 right?</p> <p>23 A. Correct.</p> <p>24 Q. So the four bullet points on page 19 of your</p>	<p style="text-align: right;">199</p> <p>1 zero, but if that all happens, yes. The</p> <p>2 answer to your question is yes.</p> <p>3 Q. Well, the chances are zero? That's what I --</p> <p>4 I'm not sure I understand why the chances of</p> <p>5 that are zero?</p> <p>6 A. As I said, in my -- my experience of analyzing</p> <p>7 products over so many years, the</p> <p>8 counterfeiters either can't, just because</p> <p>9 technology is available, which it is, doesn't</p> <p>10 necessarily mean that the counterfeiters would</p> <p>11 utilize that technology, A) so they can't. Or</p> <p>12 even if they can, they won't because of the</p> <p>13 management, the resources, infrastructure that</p> <p>14 is required to be organized to be able to do</p> <p>15 this for each and every transceiver that we</p> <p>16 are talking about in that unique fashion to</p> <p>17 make sure that they replicate one to one.</p> <p>18 Most -- 100 percent of the cases they</p> <p>19 will -- there will be replication. They will</p> <p>20 duplicate serial numbers. They won't create</p> <p>21 the one to one. They'll create the one to</p> <p>22 many. So they have duplicate serial numbers.</p> <p>23 And that's why that second batch of 28</p> <p>24 transceivers that I deemed counterfeit, the</p>

<p style="text-align: center;">200</p> <p>1 duplicate aspect was captured as an anomaly. 2 whereas, of all these 647 transceivers, there 3 was no duplication whatsoever. They were all 4 unique serial numbers. 5 So based on my experience, based on the 6 motivation of the counterfeiters, based on my 7 understanding of their infrastructure, their 8 motives, that's why I say the chances of that 9 happening, that hypothetical situation that 10 you talked about is -- is zero, in my opinion. 11 Q. well, in a hypothetical situation where a 12 counterfeit has a set of genuine transceivers 13 or a set or a list of serial numbers of 14 genuine transceivers, and theoretically they 15 can duplicate all the labels and the EEPROM 16 data and create another set that will be, 17 according to this criteria, identical to the 18 genuine set, if you reuse serial numbers on 19 everything, on EEPROM and -- well, everything, 20 but there are only two things, 1D code and 21 EEPROM that contain serial numbers, if you 22 replicate that -- 23 A. And the 2D -- 2D representation. 24 Q. And 2D, but that's a separate number; it</p>	<p style="text-align: center;">202</p> <p>1 the product looks like -- on the surface looks 2 like it's a genuine product making sure that 3 the log and the trademark is captured. But 4 they do not go through the pains of ensuring 5 that they have to get each and every one of 6 these elements right. 7 Q. well, they may not necessarily get all the 8 elements right; but they can get some of them 9 right, and when they do get it right, you 10 would consider that authentic, right? 11 MR. BUNIS: Objection, misstates his 12 prior testimony. 13 Q. If counterfeiters manage to replicate or reuse 14 serial numbers on EEPROM and the barcode 15 labels, then you would consider them authentic 16 based on this -- 17 MR. BUNIS: I'm not -- I'm going to 18 object. 19 Q. -- right? 20 MR. BUNIS: I think you're -- you asked 21 the exact question at least twice before, and 22 he's given you an answer; and you might not 23 like it, but -- 24 MR. JOFFE: I like it.</p>
<p style="text-align: center;">201</p> <p>1 doesn't -- it's not a serial number? 2 A. Yeah. But it is -- yeah. I mean, it is 3 captured in the machinery that will format, 4 and that's where the counterfeiters again -- 5 Q. Mm-hmm. 6 A. -- either -- in this case, it's quite obvious 7 for the products that I deemed counterfeit 8 where the 2D was not read correctly, they just 9 did not know that they were supposed to 10 capture the entire string, so they captured 11 half of the string. So that's where they made 12 that -- that mistake. 13 So, again, in the hypothetical 14 situation that you're talking about, I'm just 15 kind of sharing with you my experience in this 16 field where the counterfeiters do not go 17 through that pain, because of the resources 18 involved, because of the infrastructure that 19 they need. I mean, these are counterfeiting 20 entities that are doing these in shabby 21 places, in apartments, and they're quickly 22 trying to counterfeit it and just get it out 23 of the door. 24 So they just want to do enough where</p>	<p style="text-align: center;">203</p> <p>1 MR. BUNIS: well, then let's go on. 2 Q. That's -- 3 MR. BUNIS: Let's ask some other 4 questions. 5 Q. That's the thing. They -- I think -- I just 6 wanted to summarize that the answer is if the 7 counterfeiter matches the serial numbers on 8 the barcodes and on the EEPROM, then you would 9 not be able, using this guidance, to 10 distinguish between the two? 11 MR. BUNIS: Objection, misstates his 12 prior testimony. He gave you an answer to 13 this exact question. 14 Q. You can answer. 15 A. Yeah. So, again, I -- in your hypothetical 16 condition -- 17 Q. Yeah. 18 A. -- you know, scenario, if all four of these 19 criterias were met, not just the EEPROM 20 program -- I want to make sure that you also 21 understand that the 2D is a very important 22 facet of this. The fact that the -- the 23 unique -- there was no repetition in serial 24 numbers in the group of products that was</p>

<p style="text-align: center;">204</p> <p>1 determined -- determined to be genuine.</p> <p>2 Hypothetically speaking, the answer is, yes,</p> <p>3 they would have replicated each and every</p> <p>4 element, then, yes, these products would have</p> <p>5 been determined authentic.</p> <p>6 Q. Okay. You mentioned that you had asked for</p> <p>7 holographic logo data, correct?</p> <p>8 A. Any information on -- yeah, on holographic</p> <p>9 labels is what I asked.</p> <p>10 Q. All right. And why did you ask for</p> <p>11 holographic label data?</p> <p>12 A. Again, holographic labels were on -- on some</p> <p>13 of these products, if not all of these</p> <p>14 products; and as an engineer, as a person that</p> <p>15 was going to be analyzing these products, that</p> <p>16 was a data point that I wanted to have in</p> <p>17 front of me so that I could factor that in.</p> <p>18 Q. And how would you factor that in if you had</p> <p>19 that data and you've determined that the</p> <p>20 holographic label on the transceiver is</p> <p>21 counterfeit?</p> <p>22 A. So that would have been -- if -- for me, it's</p> <p>23 -- my methodology always has been to</p> <p>24 forensically and thoroughly analyze the</p>	<p style="text-align: center;">206</p> <p>1 satisfied the four bullet points in</p> <p>2 Paragraph 52, and it had the label in it, a</p> <p>3 holographic security label that was</p> <p>4 counterfeit, assume that it was counterfeit,</p> <p>5 would you call that transceiver authentic or</p> <p>6 counterfeit?</p> <p>7 A. I would -- I would base my determination on</p> <p>8 the analysis of the product and not on --</p> <p>9 Q. You didn't answer my question. If you analyze</p> <p>10 the product that you said you would in your</p> <p>11 guidance in Paragraph 52, and if the product</p> <p>12 that you analyzed met all the four conditions</p> <p>13 that are listed in bullet points, and it had a</p> <p>14 counterfeit holographic security logo on it,</p> <p>15 would you consider that transceiver authentic</p> <p>16 or counterfeit?</p> <p>17 A. That would depend on the determination that I</p> <p>18 would make.</p> <p>19 Q. And I'm asking you to make that determination</p> <p>20 now --</p> <p>21 A. I --</p> <p>22 Q. -- because it is very important for your</p> <p>23 expert report and for our expert report. If</p> <p>24 you have a transceiver that satisfies all of</p>
<p style="text-align: center;">205</p> <p>1 product itself. That just -- the data point</p> <p>2 on the holographic label is just nice to have</p> <p>3 to understand what the features are. But my</p> <p>4 testing methodology never looks at the label.</p> <p>5 It looks at product, and that's why -- that's</p> <p>6 why I get into the analysis of the EEPROM, the</p> <p>7 -- the redundancy of the serial number, which</p> <p>8 is a unique identifier on the label, and the</p> <p>9 1D barcode, and the EEPROM, anomalies like</p> <p>10 with the 2D barcode, which is machinery</p> <p>11 readable, should be exactly the same as the</p> <p>12 alphanumeric string printed next to it.</p> <p>13 So my analysis is based on that. But</p> <p>14 -- but, again, as an engineer, the goal is for</p> <p>15 me to have as many data points in front of me</p> <p>16 as possible; and that was just a data point</p> <p>17 that I asked them about. Do you have any</p> <p>18 documentation that explains to me as to what</p> <p>19 this holographic label looked like or the</p> <p>20 features were during that period of time. But</p> <p>21 I was not dependent on it to analyze the</p> <p>22 products with the testing methodology that I</p> <p>23 believe in.</p> <p>24 Q. Okay. If you have a transceiver that has</p>	<p style="text-align: center;">207</p> <p>1 the four bullet points in Paragraph 52, and it</p> <p>2 had a counterfeit holographic log on it, would</p> <p>3 you consider that transceiver authentic or</p> <p>4 counterfeit?</p> <p>5 A. So if I understand --</p> <p>6 Q. Can you say?</p> <p>7 A. If I understand you -- I just want to</p> <p>8 understand your question. You said that the</p> <p>9 product satisfied all the four criterias --</p> <p>10 Q. Or --</p> <p>11 A. -- for it being authentic?</p> <p>12 Q. Yes. If the product satisfies all the four</p> <p>13 criteria that are listed in Paragraph 52 --</p> <p>14 but it says, "If all of the following</p> <p>15 conditions were true, the transceiver was</p> <p>16 presumptively authentic." So the transceiver</p> <p>17 satisfies all these four conditions, and it</p> <p>18 has a counterfeit holographic H3C logo on it,</p> <p>19 would you consider that transceiver authentic?</p> <p>20 A. I would consider that product authentic. And</p> <p>21 the reason, again, based on my experience, I</p> <p>22 have seen all variations. That's why I do not</p> <p>23 rely on the holographic label, and let me</p> <p>24 explain why. In this --</p>

208	210
1 Q. I don't -- hold on. Let me just ask a	1 product might be counterfeit, but the label on
2 follow-up question.	2 it might be genuine.
3 MR. BUNIS: Well, hold on. Let him	3 Q. You explained that. I saw that.
4 just complete the answer. You can ask the	4 A. Yeah.
5 question after he completes his answer.	5 Q. I don't have questions about that. I have a
6 Q. Okay.	6 question about your statement that a
7 A. So I have seen -- I have seen genuine products	7 transceiver with counterfeit logo you would
8 that are used, that are sold as new, in box	8 consider authentic transceiver if the four
9 where a counterfeit holograph label is applied	9 bullet points in Paragraph 52 are met?
10 to it to make it look a new in box product.	10 A. Right. Yes.
11 But it is a used product, but it is a genuine	11 Q. Okay. That's what I was trying to understand.
12 product. It -- it has been manufactured by an	12 I want to show you Exhibit -- the next
13 authorized entity, by the OEM. So that's	13 exhibit, which is -- 12?
14 where I draw the distinction.	14 THE STENOGRAPHER: Yes.
15 For me, the analysis is about the	15 (PX Exhibit No. 12, Letter dated
16 product. So it is important for me to	16 4/22/13 marked for identification)
17 understand if the product is authentic or not.	17 Q. Which is a copy of the document Bates stamped
18 And I've seen all these situations, and that's	18 ICT 1562 through ICT 1565. Have you seen this
19 why I do not factor in the -- the counterfeit	19 document before?
20 or the authentic nature of the holographic	20 MR. BUNIS: Take your time and read it.
21 label. I -- I analyze the product itself,	21 A. I've not seen it before.
22 forensically analyze the product.	22 Q. Yeah. I want to ask you about --
23 Q. Okay. Thank you.	23 MR. BUNIS: He's got to read the
24 So I understand your position, that a	24 whole --
209	211
1 transceiver that has a counterfeit logo could	1 Q. -- one particular --
2 be considered authentic.	2 MR. BUNIS: He's going to read the
3 A. Yes. Counterfeit holographic label. Because,	3 whole thing.
4 as I explained, I've seen situations --	4 MR. JOFFE: I want to ask him to read
5 Q. Holographic --	5 one part --
6 A. Yes. As I've seen --	6 MR. BUNIS: I --
7 Q. -- logo?	7 MR. JOFFE: -- and to see if I ask the
8 A. As I've seen situations, again, this is --	8 question, if he needs to read the rest of the
9 transceiver is a very thriving business.	9 document, he can read the rest of the
10 Motivation is there. It's high margin. A lot	10 document.
11 of these products five or ten years later get	11 MR. BUNIS: How will we know if he
12 dumped into the second remark. They're	12 needs to read the rest of the document?
13 procured by someone in China. They try to	13 MR. JOFFE: No. He will know by the
14 label it like a new in box product. They know	14 question because --
15 that these products should have a holographic	15 MR. BUNIS: No. I'm --
16 label on it. They apply a counterfeit	16 MR. JOFFE: -- it's possible next -- if
17 holographic label, and then sell it as new in	17 I want to show him a 25-page document, he's
18 box.	18 going to be sitting there reading 25 pages if
19 When that product comes to me, I'm	19 I want to ask one question. That's not -- no.
20 going to look at the product. And if the	20 MR. BUNIS: That's exactly the point --
21 product is authentic based on the criterias	21 MR. JOFFE: No.
22 that I've laid out, I'll deem the product	22 MR. BUNIS: -- which is you're not
23 genuine; and that's what -- what I'm trying to	23 going to confuse the witness by asking him --
24 explain. I've also seen the inverse where the	24 MR. JOFFE: I'm not confusing the

<p style="text-align: right;">212</p> <p>1 witness.</p> <p>2 MR. BUNIS: Okay.</p> <p>3 MR. JOFFE: If the witness needs to get</p> <p>4 additional reading, he can; but let --</p> <p>5 MR. BUNIS: You can't --</p> <p>6 MR. JOFFE: -- me ask the question.</p> <p>7 MR. BUNIS: Nope.</p> <p>8 MR. JOFFE: And if he says I need to</p> <p>9 read the whole thing --</p> <p>10 MR. BUNIS: I'm going --</p> <p>11 MR. JOFFE: -- then I will let him.</p> <p>12 MR. BUNIS: -- to tell you, as I've</p> <p>13 told you before, this witness is going to read</p> <p>14 a document in its full entirety that you put</p> <p>15 in front of him that you want to ask him</p> <p>16 questions about; and if you're dissatisfied</p> <p>17 with that, I'm sorry.</p> <p>18 MR. JOFFE: All right.</p> <p>19 MR. BUNIS: That's what's going to</p> <p>20 happen.</p> <p>21 Q. All right. Read the whole document.</p> <p>22 MR. BUNIS: Take your time.</p> <p>23 MR. JOFFE: And I can -- when I ask him</p> <p>24 to look at the Second Amended Complaint, we're</p>	<p style="text-align: right;">214</p> <p>1 you didn't.</p> <p>2 MR. BUNIS: Well, to the extent that we</p> <p>3 don't know and we can't be sure, we're going</p> <p>4 to mark this "confidential."</p> <p>5 MR. JOFFE: I'm pretty sure that it's</p> <p>6 not.</p> <p>7 MR. BUNIS: What's the harm in the</p> <p>8 interim if it's going -- if the transcript be</p> <p>9 marked "confidential"?</p> <p>10 MR. JOFFE: For what reason? Based on</p> <p>11 this letter?</p> <p>12 MR. BUNIS: You're asking him about a</p> <p>13 document that's been marked "confidential,"</p> <p>14 correct?</p> <p>15 MR. JOFFE: By us. It's our document.</p> <p>16 MR. BUNIS: I similarly asked you</p> <p>17 whether we produced the same document.</p> <p>18 MR. JOFFE: And I told you you didn't.</p> <p>19 MR. BUNIS: I thought you said you</p> <p>20 didn't know?</p> <p>21 MR. JOFFE: No, I know. You didn't.</p> <p>22 Because it is our translation, and you didn't</p> <p>23 make the same translation.</p> <p>24 MR. BUNIS: So --</p>
<p style="text-align: right;">213</p> <p>1 going to sit and wait 'til he reads 90 pages</p> <p>2 of it?</p> <p>3 MR. BUNIS: You bet.</p> <p>4 MR. JOFFE: No way.</p> <p>5 MR. BUNIS: You know, it occurs to me</p> <p>6 while he's reading the document that this</p> <p>7 document is marked "confidential." And to the</p> <p>8 extent it's marked "confidential," I think</p> <p>9 that the transcript of the deposition should</p> <p>10 be similarly marked as "confidential."</p> <p>11 MR. JOFFE: No. We'll waive the</p> <p>12 confidentiality on this document.</p> <p>13 MR. BUNIS: It's not your</p> <p>14 confidentiality to waive.</p> <p>15 MR. JOFFE: It is ours.</p> <p>16 MR. BUNIS: This is a document produced</p> <p>17 by us -- excuse me -- produced by you; you</p> <p>18 marked it "confidential"?</p> <p>19 MR. JOFFE: Yeah.</p> <p>20 MR. BUNIS: Dimitry, do you know if we</p> <p>21 similarly marked it and produced it?</p> <p>22 MR. JOFFE: You didn't.</p> <p>23 MR. BUNIS: You know that?</p> <p>24 MR. JOFFE: I am pretty confident that</p>	<p style="text-align: right;">215</p> <p>1 MR. SASO: That was where I was going</p> <p>2 to say something, which is that -- and this is</p> <p>3 Paul Saso speaking now. So this -- what I</p> <p>4 understand this exhibit to be is plaintiff's</p> <p>5 translation of a letter that was originally in</p> <p>6 Chinese; and, I mean, that should be clear on</p> <p>7 the record. That this has not been -- this</p> <p>8 has not been a translation that has in any way</p> <p>9 been authenticated or approved by the</p> <p>10 defendants, and we don't know the accuracy of</p> <p>11 what is being put before the witness right</p> <p>12 now.</p> <p>13 Q. Have you read it?</p> <p>14 A. No. I'm just --</p> <p>15 Q. Okay.</p> <p>16 A. -- listening to the talking.</p> <p>17 So the language here doesn't make</p> <p>18 sense, but I'll just continue reading.</p> <p>19 Okay.</p> <p>20 Q. Okay. I want you to look at page 3, which has</p> <p>21 a Bates No. 1564.</p> <p>22 A. Bates No. 1 --</p> <p>23 Q. 1564.</p> <p>24 A. Okay.</p>

<p style="text-align: center;">216</p> <p>1 Q. I want you to look at the first paragraph of</p> <p>2 that page. And I'm going read the last</p> <p>3 sentence of it for the record. "After the</p> <p>4 equipment had been seized, H3C inspected this</p> <p>5 equipment and based on the logos found on the</p> <p>6 equipment, believe that the equipment was</p> <p>7 counterfeit products."</p> <p>8 Do you see that --</p> <p>9 A. I see that sentence, yes.</p> <p>10 Q. -- sentence?</p> <p>11 This letter was provided by HP, as I</p> <p>12 see there, to the Chinese Public Security</p> <p>13 Bureau. And it states that H3C determined</p> <p>14 that the counterfeit -- the equipment was</p> <p>15 counterfeit based on the logos found on the</p> <p>16 equipment; do you see that?</p> <p>17 MR. BUNIS: Objection. This Exhibit 12</p> <p>18 was not provided to security --</p> <p>19 MR. JOFFE: It's the --</p> <p>20 MR. BUNIS: I'm not going to talk over</p> <p>21 you, and you're not going to talk over me,</p> <p>22 right? So to be clear, Exhibit 12, it was not</p> <p>23 provided to the Chinese Public Security</p> <p>24 Bureau, as you represented to the witness.</p>	<p style="text-align: center;">218</p> <p>1 is the 2010 to 2011 time frame. And, yeah, I</p> <p>2 was told that there was no information on</p> <p>3 those labels.</p> <p>4 Q. Mm-hmm. Did you know that H3C determined that</p> <p>5 the transceivers were counterfeit based on</p> <p>6 holographic logos?</p> <p>7 MR. BUNIS: Objection, calls for</p> <p>8 speculation.</p> <p>9 A. Yes.</p> <p>10 Q. You did know that, aside from reading it now</p> <p>11 in this letter (indicating)?</p> <p>12 A. No. It was also -- it was Exhibit 4, I</p> <p>13 believe, in Dr. Fang's report.</p> <p>14 Q. Okay. Well, let's take a look at that.</p> <p>15 Okay. And just to make clear, you've</p> <p>16 reviewed this document before, Exhibit 4 to</p> <p>17 Dr. Fang's report?</p> <p>18 MR. BUNIS: Why don't --</p> <p>19 Q. -- correct?</p> <p>20 MR. BUNIS: Why don't you show it to</p> <p>21 him before, so he knows what you're --</p> <p>22 MR. JOFFE: Yeah. No. I'm asking and</p> <p>23 he just said that it was in Exhibit 4 to</p> <p>24 Dr. Fang's report.</p>
<p style="text-align: center;">217</p> <p>1 And the sentence that you quoted was not part</p> <p>2 of the letter to the extent that there is a</p> <p>3 letter that was provided to the Public</p> <p>4 Security Bureau. This is a translation --</p> <p>5 what you purport to be a translation of a</p> <p>6 document that may or may not have been</p> <p>7 provided to the Public Security Bureau. We</p> <p>8 don't know. And this witness has already</p> <p>9 testified he's never seen this document</p> <p>10 before.</p> <p>11 So I would object to your question</p> <p>12 about this and representation about what's in</p> <p>13 page 1564.</p> <p>14 Q. You said earlier that you asked defendants for</p> <p>15 information on holographic logos, on H3C</p> <p>16 holographic logos --</p> <p>17 A. Holographic labels.</p> <p>18 Q. -- holographic labels on the transceivers; and</p> <p>19 you've been told that there is no such</p> <p>20 information available; correct?</p> <p>21 A. I specifically asked if they had information</p> <p>22 on the holographic labels that were affixed to</p> <p>23 the products that I was going to analyze in</p> <p>24 the time frame that we were looking at, which</p>	<p style="text-align: center;">219</p> <p>1 Q. So did you review this document --</p> <p>2 MR. BUNIS: Dimitry --</p> <p>3 Q. -- before?</p> <p>4 MR. BUNIS: Dimitry, when you say "this</p> <p>5 document" that you're holding and the witness</p> <p>6 doesn't have it yet --</p> <p>7 MR. JOFFE: I'm not asking the document</p> <p>8 I'm holding. I'm asking the document that</p> <p>9 Mr. Raina just referred to in his answers. He</p> <p>10 said Exhibit 4 to Dr. Fang's report, and I'm</p> <p>11 asking whether he reviewed that Exhibit 4</p> <p>12 previously?</p> <p>13 A. Yeah. I just want to confirm that.</p> <p>14 Q. Yeah. I'll ask you to confirm as soon as the</p> <p>15 exhibit is marked.</p> <p>16 A. Yes.</p> <p>17 Q. I just don't want to start reading the whole</p> <p>18 document that you already read as --</p> <p>19 MR. BUNIS: Oh, he's going to read it</p> <p>20 again.</p> <p>21 MR. JOFFE: No, he will not. Michael --</p> <p>22 MR. BUNIS: Absolutely.</p> <p>23 MR. JOFFE: -- would you just --</p> <p>24 MR. BUNIS: So he --</p>

<p style="text-align: center;">220</p> <p>1 MR. JOFFE: This is outrage and that he</p> <p>2 read the document. It's a multipage document.</p> <p>3 He read it before. He will see and if that's</p> <p>4 what he read and he's not going to sit and</p> <p>5 read it again. It's taking my time.</p> <p>6 MR. BUNIS: I --</p> <p>7 MR. JOFFE: You've interrupted enough.</p> <p>8 MR. BUNIS: I'm going to tell you,</p> <p>9 Dimitry, as I've told you before --</p> <p>10 MR. JOFFE: Yeah.</p> <p>11 MR. BUNIS: -- if you want to ask a</p> <p>12 question -- if you put a document in front of</p> <p>13 the witness as an exhibit that you want him to</p> <p>14 answer a question about, he's going to read</p> <p>15 the entire document --</p> <p>16 MR. JOFFE: No. No.</p> <p>17 MR. BUNIS: -- before he --</p> <p>18 MR. JOFFE: That's not the rule, your</p> <p>19 rule. Sometimes there are multipage documents</p> <p>20 and in depositions and you don't see it and</p> <p>21 read the whole document --</p> <p>22 MR. BUNIS: I'm happy --</p> <p>23 MR. JOFFE: -- to answer a question</p> <p>24 about a particular point.</p>	<p style="text-align: center;">222</p> <p>1 (PX Exhibit No. 13, Exhibit 4 marked</p> <p>2 for identification)</p> <p>3 MR. BUNIS: Take your time.</p> <p>4 Q. Have you seen this document before?</p> <p>5 MR. BUNIS: He's going to wait until he</p> <p>6 reads it; then you can ask him a question.</p> <p>7 MR. JOFFE: Are you instructing him not</p> <p>8 to answer if he's seen the document before?</p> <p>9 MR. BUNIS: I'm instructing him to read</p> <p>10 the entire thing, and then he can answer your</p> <p>11 questions about the document.</p> <p>12 Q. You can answer the question if you've seen the</p> <p>13 document before.</p> <p>14 MR. BUNIS: He's not going to answer</p> <p>15 the question until he reads the whole</p> <p>16 document.</p> <p>17 MR. JOFFE: Are you instructing him not</p> <p>18 to answer?</p> <p>19 MR. BUNIS: I said -- I'll repeat the</p> <p>20 instruction that I've given him. And, by the</p> <p>21 way, this is, obviously, distracting to the</p> <p>22 witness's attempt to read the document. So</p> <p>23 the more you want to engage in this colloquy,</p> <p>24 you're only undermining your own time.</p>
<p style="text-align: center;">221</p> <p>1 MR. BUNIS: If you'd like to call</p> <p>2 Judge Sorokin and get him on the line and ask</p> <p>3 him this question, I'd be more than happy to</p> <p>4 do it. But I'm going to tell you right now,</p> <p>5 this witness is not going to answer questions</p> <p>6 about any documents that he doesn't have an</p> <p>7 opportunity to read completely, particularly --</p> <p>8 MR. JOFFE: By the way, did you have --</p> <p>9 MR. BUNIS: Excuse me. Excuse me.</p> <p>10 I've asked you -- you don't speak over me; I</p> <p>11 won't speak over you, okay?</p> <p>12 Particularly given a document that's</p> <p>13 written in Mandarin. So I -- it's absolutely</p> <p>14 preposterous to think that you're going to put</p> <p>15 a document in front of him that he doesn't</p> <p>16 have a complete opportunity to review and ask</p> <p>17 him a specific question about a page and not</p> <p>18 give him an opportunity to read the whole</p> <p>19 thing.</p> <p>20 As I said, I'm absolutely more than</p> <p>21 happy to call Judge Sorokin right now, and you</p> <p>22 can ask him that question.</p> <p>23 MR. JOFFE: Can you mark that, please,</p> <p>24 as an exhibit.</p>	<p style="text-align: center;">223</p> <p>1 And the instruction that I'm giving him</p> <p>2 is to make sure he's read the document</p> <p>3 completely until he answers questions that you</p> <p>4 ask about.</p> <p>5 MR. JOFFE: I don't believe you can</p> <p>6 instruct the witness to do that. I believe</p> <p>7 you're all in -- let's call.</p> <p>8 MR. BUNIS: Let's go off the record.</p> <p>9 Actually, I guess we need to go on the record</p> <p>10 to call. So --</p> <p>11 MR. JOFFE: Yup.</p> <p>12 MR. BUNIS: -- I think it's your call.</p> <p>13 MR. JOFFE: No.</p> <p>14 THE STENOGRAPHER: Tell me if we're on</p> <p>15 or off.</p> <p>16 MR. BUNIS: I think we should go on.</p> <p>17 We're on. Do you want to call?</p> <p>18 MR. JOFFE: You -- yeah.</p> <p>19 MR. BUNIS: Okay. Well, go ahead and</p> <p>20 call. I mean, I'm giving the instruction for</p> <p>21 it.</p> <p>22 MR. JOFFE: You're the one --</p> <p>23 MR. BUNIS: No. I said you should be</p> <p>24 happy to call if you want a different</p>

<p style="text-align: right;">224</p> <p>1 instruction. I'm instructing him not to</p> <p>2 answer questions until he read the document</p> <p>3 completely. If you think that instruction is</p> <p>4 improper, I think you need a ruling from the</p> <p>5 Judge, because this witness is going to do</p> <p>6 what I instruct him to do.</p> <p>7 MR. JOFFE: Okay.</p> <p>8 Q. Did you read the document?</p> <p>9 A. No. I -- I --</p> <p>10 Q. Okay. Read it.</p> <p>11 A. Everybody's talking, so --</p> <p>12 Q. Have you seen this document before?</p> <p>13 MR. BUNIS: As I said to you before,</p> <p>14 he's not going to answer questions about the</p> <p>15 document until he's read it completely. And I</p> <p>16 -- as I pointed out, the more you do this,</p> <p>17 you're just wasting your own time.</p> <p>18 (Discussion off the record)</p> <p>19 Q. Have you seen this document before?</p> <p>20 A. Yes.</p> <p>21 Q. As part of Dr. Fang's expert report?</p> <p>22 A. Yes.</p> <p>23 Q. Have you seen it prior to Dr. Fang's report?</p> <p>24 A. No.</p>	<p style="text-align: right;">226</p> <p>1 MR. JOFFE: You have an objection?</p> <p>2 MR. BUNIS: I think I put my objection</p> <p>3 on --</p> <p>4 MR. JOFFE: You got it.</p> <p>5 MR. BUNIS: -- the record.</p> <p>6 MR. JOFFE: Now --</p> <p>7 MR. BUNIS: And, by the way --</p> <p>8 Q. Now, please answer the question.</p> <p>9 MR. BUNIS: What is the question?</p> <p>10 A. What --</p> <p>11 MR. JOFFE: Well, you objected before I</p> <p>12 asked the question. Okay.</p> <p>13 MR. BUNIS: My concern here and -- is</p> <p>14 that you're going to ask the witness a</p> <p>15 question about a document that's in a language</p> <p>16 that he doesn't speak, that you don't speak,</p> <p>17 and I don't speak.</p> <p>18 MR. JOFFE: And now I cannot ask him</p> <p>19 questions?</p> <p>20 MR. BUNIS: It's your time. You can do</p> <p>21 whatever you want.</p> <p>22 Q. You reviewed that document as part of</p> <p>23 Dr. Fang's report, correct?</p> <p>24 A. Yes.</p>
<p style="text-align: right;">225</p> <p>1 Q. The part you read is in English, I think.</p> <p>2 It's plaintiff's translation of the document</p> <p>3 that was produced by defendants, and has</p> <p>4 defendants' production numbers on the bottom,</p> <p>5 DEF 2807 through DEF 2817. And the defendants</p> <p>6 refer to this paper as H3C3 Verification</p> <p>7 Report; and I'm asking you to assume that, the</p> <p>8 reference.</p> <p>9 MR. BUNIS: The reference to the title?</p> <p>10 MR. JOFFE: To the title, H3C</p> <p>11 Verification Report.</p> <p>12 Q. And according to defendants, this report was</p> <p>13 provided by H3C to the Chinese Police; and as</p> <p>14 you can see, it contains H3C inspection of the</p> <p>15 seized transceivers?</p> <p>16 MR. BUNIS: Objection. I don't think</p> <p>17 this witness can tell anything about what's</p> <p>18 contained in the document. It's written in</p> <p>19 Mandarin. He doesn't speak Mandarin. He has</p> <p>20 no idea -- what you're representing to him.</p> <p>21 In fact, do you speak Mandarin?</p> <p>22 MR. JOFFE: I don't speak Mandarin.</p> <p>23 MR. BUNIS: How do you know what you've</p> <p>24 just represented to the witness?</p>	<p style="text-align: right;">227</p> <p>1 Q. And do you see that in this report H3C</p> <p>2 analyzes Holographic logos attached to the</p> <p>3 transceivers --</p> <p>4 MR. BUNIS: Where are you --</p> <p>5 Q. -- do you see that?</p> <p>6 MR. BUNIS: Where in the exhibit are</p> <p>7 you referring to?</p> <p>8 MR. JOFFE: He read the whole report.</p> <p>9 So starting on page -- well, starting on</p> <p>10 page 1 actually.</p> <p>11 MR. BUNIS: Page 1 on this?</p> <p>12 MR. JOFFE: Yeah.</p> <p>13 MR. BUNIS: Page 1 of Exhibit 14 -- 13.</p> <p>14 Q. It talks about the barcode label and</p> <p>15 anti-counterfeit label attached to the H3C</p> <p>16 genuine transceiver product, yes?</p> <p>17 MR. BUNIS: I'm sorry. Dimitry, what</p> <p>18 page are you on.</p> <p>19 MR. JOFFE: On the first page of the</p> <p>20 translation.</p> <p>21 MR. BUNIS: And this is not page --</p> <p>22 there's no page numbers on it, right? I just</p> <p>23 want to --</p> <p>24 MR. JOFFE: It's that first page with</p>

<p style="text-align: right;">228</p> <p>1 the translation.</p> <p>2 A. And where are you reading this off?</p> <p>3 Q. I'm reading at the bottom of the first page of</p> <p>4 the translation, the paragraph that starts</p> <p>5 with the barcode label and anti-counterfeit</p> <p>6 label.</p> <p>7 MR. BUNIS: What's the question?</p> <p>8 Q. Well -- and then going onto the next page, it</p> <p>9 describes that -- on Point 2 it describes "The</p> <p>10 anti-counterfeit label of the seized product</p> <p>11 is abnormal and is a counterfeit label"; do</p> <p>12 you see that?</p> <p>13 A. I see that written, yes.</p> <p>14 Q. Yeah. And then, as you just read it, it goes</p> <p>15 on to several factors related to the</p> <p>16 anti-counterfeit label; do you see that?</p> <p>17 MR. BUNIS: Objection. I -- again, I'm</p> <p>18 going to reiterate the objection that this is</p> <p>19 -- purports to be a translation of a document.</p> <p>20 MR. JOFFE: It's another speaking</p> <p>21 objection of yours. You don't reiterate it.</p> <p>22 We got it.</p> <p>23 MR. BUNIS: Yeah. But I think it's --</p> <p>24 MR. JOFFE: It purports to be a</p>	<p style="text-align: right;">230</p> <p>1 (indicating).</p> <p>2 A. Okay.</p> <p>3 Q. Do you see this? Right above Paragraph No. 3.</p> <p>4 A. I do.</p> <p>5 Q. Yeah. You disagree with the statement that</p> <p>6 abnormal label is sufficient to determine that</p> <p>7 the transceiver is counterfeit?</p> <p>8 MR. BUNIS: Objection.</p> <p>9 A. Can you --</p> <p>10 MR. BUNIS: If you can tell.</p> <p>11 A. Can you -- I'm sorry. Can you repeat the</p> <p>12 question --</p> <p>13 Q. Yeah.</p> <p>14 A. -- again?</p> <p>15 Q. Yeah. Well, this paragraph says that the --</p> <p>16 because the labels -- the anti-counterfeit</p> <p>17 labels are abnormal, it is sufficient to</p> <p>18 determine that the transceiver is</p> <p>19 counterfeit --</p> <p>20 A. I see that written here.</p> <p>21 Q. -- right?</p> <p>22 A. Yeah. The translation, yes.</p> <p>23 Q. You see that. Okay.</p> <p>24 I asked you earlier if the counterfeit</p>
<p style="text-align: right;">229</p> <p>1 translation.</p> <p>2 MR. BUNIS: I think it's entirely</p> <p>3 improper that you're asking him a question</p> <p>4 about a document that purports to be a</p> <p>5 translation of a document that is not in</p> <p>6 English.</p> <p>7 MR. JOFFE: You're speak- -- that's a</p> <p>8 speaking objection. You state your objection.</p> <p>9 That's it. And don't repeat it again and</p> <p>10 again.</p> <p>11 (Interruption)</p> <p>12 MR. JOFFE: Sorry about that.</p> <p>13 MR. BUNIS: Is there a question?</p> <p>14 Q. Yes. The question is: The statement in this</p> <p>15 -- on this page that says that the above</p> <p>16 label, including anti-counterfeiting labels,</p> <p>17 are abnormal, which is sufficient to indicate</p> <p>18 that at least most of the seized transceivers</p> <p>19 are determined to be counterfeit H3C products.</p> <p>20 Do you see that statement?</p> <p>21 MR. BUNIS: Objection. You can answer.</p> <p>22 A. I'm trying to locate that statement. Can you</p> <p>23 tell me which paragraph if -- on that page?</p> <p>24 Q. Yeah. I can point it to you. It's this one</p>	<p style="text-align: right;">231</p> <p>1 logo on the transceiver would be sufficient to</p> <p>2 indicate that it's counterfeit, and your</p> <p>3 response was not necessarily?</p> <p>4 A. I want to make sure --</p> <p>5 Q. Yeah.</p> <p>6 A. -- that we're --</p> <p>7 Q. Yeah.</p> <p>8 A. -- talking about the same thing. So what do</p> <p>9 you mean when you say "counterfeit logo"?</p> <p>10 Q. It's a holographic H3C logo, trademark logo</p> <p>11 attached to the transceiver.</p> <p>12 A. Okay. I would -- I -- just so that we're</p> <p>13 clear, I would -- the way I address that is</p> <p>14 holographic label, not -- not a logo, because</p> <p>15 logo can be in -- in different places. So are</p> <p>16 you talking about the holographic label?</p> <p>17 Q. Yes.</p> <p>18 A. Yes.</p> <p>19 Q. I'm talking about what appears on Figure 14 of</p> <p>20 your report as a dark -- well, on my copy it's</p> <p>21 dark, but it's this square (indicating).</p> <p>22 A. Page 14 or --</p> <p>23 Q. No. Figure 14. It's page 16. It's in the</p> <p>24 middle (indicating).</p>

<p style="text-align: center;">232</p> <p>1 A. (Indicating.)</p> <p>2 Q. Yes, exactly. You're pointing to the square</p> <p>3 in the middle of the label, and that's what I</p> <p>4 meant by holographic logo.</p> <p>5 A. So that -- that is a holographic label, yeah.</p> <p>6 Q. Yeah. Yeah. Yeah.</p> <p>7 A. Okay.</p> <p>8 (Interruption)</p> <p>9 Q. Yes. So this is a holographic label, and H3C</p> <p>10 in the report is stating that the counterfeit</p> <p>11 or abnormal label is sufficient to indicate</p> <p>12 that the transceivers are counterfeit?</p> <p>13 MR. BUNIS: What's the question?</p> <p>14 Q. My question to you is: You've testified</p> <p>15 earlier that having a counterfeit holographic</p> <p>16 logo is not -- is not sufficient to indicate</p> <p>17 they're counterfeiting, correct?</p> <p>18 MR. BUNIS: Objection, misstates his</p> <p>19 prior testimony.</p> <p>20 Q. Correct?</p> <p>21 A. Yeah. What I said before was that, yes --</p> <p>22 Q. Yes.</p> <p>23 A. -- I will not be looking at the label as the</p> <p>24 only data point to analyze a product and then</p>	<p style="text-align: center;">234</p> <p>1 data on holographic labels, when did you ask</p> <p>2 about that?</p> <p>3 A. This would be -- I'm just guessing in the</p> <p>4 April --</p> <p>5 MR. BUNIS: Don't guess.</p> <p>6 A. April -- April -- around April time frame.</p> <p>7 Q. April 2019 --</p> <p>8 A. 19.</p> <p>9 Q. -- correct?</p> <p>10 And you were not given this report at</p> <p>11 that time?</p> <p>12 MR. BUNIS: Objection. Which?</p> <p>13 Q. This report (indicating) that is Exhibit 4 to</p> <p>14 Dr. Fang's report.</p> <p>15 A. Yes, that is correct.</p> <p>16 Q. Then when you saw Dr. Fang's report, you saw</p> <p>17 this Exhibit 4. Was it the first time that</p> <p>18 you saw this report?</p> <p>19 A. Yes.</p> <p>20 Q. Yes. So just read it and you read it before,</p> <p>21 and you see that the report indicates certain</p> <p>22 characteristics of the logo that H3C found to</p> <p>23 be abnormal --</p> <p>24 MR. BUNIS: The witness --</p>
<p style="text-align: center;">233</p> <p>1 based on that analysis, deem the product</p> <p>2 counterfeit or genuine, yes.</p> <p>3 Q. Mm-hmm. And that -- you disagree with this</p> <p>4 statement (indicating) that a counterfeit</p> <p>5 holographic logo is sufficient to determine</p> <p>6 that the product is counterfeit --</p> <p>7 MR. BUNIS: Objection.</p> <p>8 Q. -- correct?</p> <p>9 MR. BUNIS: Objection, calls for</p> <p>10 speculation. To the point you can tell, you</p> <p>11 can answer.</p> <p>12 A. So I'll be honest. I mean, to me this</p> <p>13 document is not a document that I can rely on,</p> <p>14 because of the fact, as mentioned, this was</p> <p>15 originated in Mandarin, this translation. As</p> <p>16 I read through this document, a lot of the</p> <p>17 sentences didn't make sense to me. So I -- I</p> <p>18 have no idea or data to -- to understand what</p> <p>19 "abnormal" means in this context or -- and</p> <p>20 what they mean by, you know, saying</p> <p>21 "sufficient" to indicate that at least most of</p> <p>22 the seized transceivers are determined to be</p> <p>23 counterfeit H3C products.</p> <p>24 Q. When you asked HP whether HP had any other</p>	<p style="text-align: center;">235</p> <p>1 Q. -- correct?</p> <p>2 MR. BUNIS: The witness testified that</p> <p>3 he can't tell, he can't rely on the report</p> <p>4 because of its translation.</p> <p>5 A. And I --</p> <p>6 Q. Assume it's a correct translation. Because if</p> <p>7 it's not, well --</p> <p>8 MR. BUNIS: We're not going to assume</p> <p>9 that.</p> <p>10 Q. Okay.</p> <p>11 MR. JOFFE: Stop making speaking --</p> <p>12 just make an objection and let the witness</p> <p>13 continue.</p> <p>14 Q. The report contains certain discussions of</p> <p>15 holographic logos on -- and the report lists</p> <p>16 the characteristics of holographic logos that</p> <p>17 were found to be abnormal; and based on that,</p> <p>18 the report said it's sufficient to indicate</p> <p>19 that the transceivers were counterfeit H3C</p> <p>20 products.</p> <p>21 MR. BUNIS: Objection.</p> <p>22 Q. So my question is: Would you be interested in</p> <p>23 considering this information when you were</p> <p>24 making your own inspection?</p>

<p style="text-align: right;">236</p> <p>1 MR. BUNIS: "This information" meaning</p> <p>2 this report (indicating)?</p> <p>3 MR. JOFFE: Yes.</p> <p>4 Q. The report --</p> <p>5 MR. BUNIS: Objection.</p> <p>6 Q. -- that's called HC3 Verification Report?</p> <p>7 MR. BUNIS: Objection. You can answer</p> <p>8 if you can.</p> <p>9 A. This made no difference in -- after I read</p> <p>10 this report, it makes -- my testing</p> <p>11 methodology stays the say same that I've</p> <p>12 discussed and shared with you before. And I'm</p> <p>13 not going to be relying on the holographic</p> <p>14 label to determine if the product and the</p> <p>15 holographic label it is affixed to as genuine</p> <p>16 or counterfeit.</p> <p>17 Q. That's not my question. My question was: You</p> <p>18 asked in April of last year whether HP had any</p> <p>19 data on holographic logos, correct?</p> <p>20 MR. BUNIS: Labels.</p> <p>21 Q. Logos or labels, correct?</p> <p>22 A. Yes.</p> <p>23 Q. Yes. And you were told at the time that there</p> <p>24 was no such information, correct?</p>	<p style="text-align: right;">238</p> <p>1 "Plaintiffs' Office Translation" of the</p> <p>2 document produced by the defendants. As the</p> <p>3 document, this document (indicating) with</p> <p>4 Bates Nos. DEF 2807 through 2817, was produced</p> <p>5 by defendants and referred by defendants as</p> <p>6 H3C Verification Report.</p> <p>7 Q. And the document clearly says it's a</p> <p>8 translation, which is what you read. And my</p> <p>9 question is: This information in this</p> <p>10 report --</p> <p>11 MR. BUNIS: Wait. Wait. See, that's</p> <p>12 the difference. It's not in the report. It's</p> <p>13 in the translation.</p> <p>14 MR. JOFFE: Is there an objection?</p> <p>15 Michael, please make your objection. Stop</p> <p>16 making speaking objections. All the time you</p> <p>17 don't let me finish the question and don't let</p> <p>18 the witness answer it. Stop, please.</p> <p>19 MR. BUNIS: The problem --</p> <p>20 MR. JOFFE: Let me ask the questions.</p> <p>21 MR. BUNIS: Dimitry, the problem is</p> <p>22 that you're purposely attempting to confuse</p> <p>23 the witness by putting a document in front of</p> <p>24 him, which you're purporting to be a different</p>
<p style="text-align: right;">237</p> <p>1 You then saw Dr. Fang's report in</p> <p>2 December or -- well, December or January of --</p> <p>3 December of 2019, after you've done your own</p> <p>4 work, correct?</p> <p>5 A. Correct.</p> <p>6 Q. Dr. Fang's report attached Exhibit 4, which is</p> <p>7 H3C Verification Report, correct?</p> <p>8 And that verification report discusses</p> <p>9 the characteristics of holographic logos or</p> <p>10 labels on the subject transceivers, correct.</p> <p>11 MR. BUNIS: Objection. You keep</p> <p>12 conflating the report and this translation to</p> <p>13 the report, and I'm concerned about that.</p> <p>14 MR. JOFFE: Translation of the report.</p> <p>15 MR. BUNIS: So --</p> <p>16 MR. JOFFE: You stated your objection</p> <p>17 about translation. I understand. It's on the</p> <p>18 record.</p> <p>19 MR. BUNIS: But what's important is</p> <p>20 you're representing that the translation of</p> <p>21 the report was produced by HP and that's</p> <p>22 incorrect.</p> <p>23 MR. JOFFE: I'm not representing that.</p> <p>24 It says on the translation that it's</p>	<p style="text-align: right;">239</p> <p>1 document; and that different document is</p> <p>2 written in a language that he can't</p> <p>3 understand.</p> <p>4 MR. JOFFE: Okay. You stated your</p> <p>5 objection. Okay.</p> <p>6 MR. BUNIS: I'm going to state my</p> <p>7 objection. The fact of the matter is that if</p> <p>8 you keep going on and trying to confuse the</p> <p>9 witness deliberately, I'm going to instruct</p> <p>10 the witness not to answer any more questions</p> <p>11 about this document.</p> <p>12 Q. This is a document that contains defendants'</p> <p>13 Bates numbers and plaintiffs' translation of</p> <p>14 the document. What I'm asking you is to --</p> <p>15 well, because you can read only the</p> <p>16 translation and to see if it contains</p> <p>17 discussions of holographic labels on the</p> <p>18 subject transceivers? Did you see the</p> <p>19 discussion of holographic labels on the</p> <p>20 transceivers --</p> <p>21 A. There are observations that were made --</p> <p>22 Q. Correct.</p> <p>23 A. -- of holographic label on the transceivers.</p> <p>24 Q. And my question is: The -- this information</p>

<p style="text-align: right;">240</p> <p>1 contained in this verification report</p> <p>2 (indicating), when you asked HP in April of</p> <p>3 2019 if there is such information, would you</p> <p>4 consider this report to be such information?</p> <p>5 A. No. No. What I was specifically asking was</p> <p>6 for any design documents that they had on the</p> <p>7 holographic labels.</p> <p>8 Q. So this --</p> <p>9 A. For the holographic labels that were --</p> <p>10 Q. Then this verification report would be of no</p> <p>11 importance or interest to you in doing your</p> <p>12 inspection?</p> <p>13 A. Absolutely, yeah.</p> <p>14 Q. No relevance?</p> <p>15 A. No relevance. Because my testing methodology</p> <p>16 that I shared with you before does not take</p> <p>17 into account the analysis of the holographic</p> <p>18 labels. My testing methodology is -- again,</p> <p>19 as I said, it's holistic. It wants to check</p> <p>20 the -- it looks at multiple data points, like</p> <p>21 I pointed out before, checking for the serial</p> <p>22 number redundancy on the label; and that's</p> <p>23 exactly what I --</p> <p>24 Q. I understand. I understand that. So this</p>	<p style="text-align: right;">242</p> <p>1 methodology in my head was exactly the testing</p> <p>2 methodology that I laid out, which is -- which</p> <p>3 I've explained before. So it was just nice to</p> <p>4 have data point if that was something that was</p> <p>5 presented to me.</p> <p>6 Q. And there is also Exhibit 3 to Dr. Fang's</p> <p>7 report that you have -- we already marked that</p> <p>8 as an exhibit. It's H3C Security Bulletin.</p> <p>9 MR. BUNIS: Exhibit 10.</p> <p>10 A. Exhibit?</p> <p>11 MR. BUNIS: 10.</p> <p>12 A. Okay.</p> <p>13 Q. You saw that document already, correct?</p> <p>14 And it --</p> <p>15 A. Are you talking about Exhibit 3 (indicating)?</p> <p>16 Q. Yeah.</p> <p>17 A. Yes.</p> <p>18 Q. Yeah. And it describes, first, among other</p> <p>19 things, holographic logos on the transceivers?</p> <p>20 A. Labels, yes.</p> <p>21 Q. Logos or labels. And it shows the -- there is</p> <p>22 optic characteristics of the transceivers,</p> <p>23 logos?</p> <p>24 A. Yes.</p>
<p style="text-align: right;">241</p> <p>1 verification report would not be of interest</p> <p>2 to you? You don't consider it to have</p> <p>3 meaningful information, relevant to the</p> <p>4 counterfeiting investigation?</p> <p>5 A. For me, my final determination does not -- or</p> <p>6 my final analysis does not change based on the</p> <p>7 observations made -- based -- you know,</p> <p>8 captured in this document or at least the</p> <p>9 translated version of this document</p> <p>10 (indicating).</p> <p>11 Q. Would it be -- I'm not asking whether it</p> <p>12 changed your ultimate conclusion. I'm asking</p> <p>13 whether that would be meaningful information</p> <p>14 for your analysis?</p> <p>15 MR. BUNIS: Objection, asked and</p> <p>16 answered.</p> <p>17 A. No.</p> <p>18 Q. Why did you ask for holographic label data</p> <p>19 back in April?</p> <p>20 A. As I said, I'm an engineer. My goal is to get</p> <p>21 all the data points as possible as it relates</p> <p>22 to a given product; and if that given product</p> <p>23 had holographic labels on it, my goal was to</p> <p>24 collect all the information. But the testing</p>	<p style="text-align: right;">243</p> <p>1 Q. Do you see that?</p> <p>2 It also shows the actual logo, the new</p> <p>3 one with the old one?</p> <p>4 A. On which page are you talking about?</p> <p>5 Q. Page 1 shows the new transceiver logo.</p> <p>6 A. I see the label that is marked --</p> <p>7 Q. Yeah.</p> <p>8 A. -- mark new host label.</p> <p>9 Q. Yeah. No. On the right. On the right.</p> <p>10 A. (Indicating.)</p> <p>11 Q. Yup.</p> <p>12 A. The new module label?</p> <p>13 Q. Yes. So it presents the new holographic label</p> <p>14 to be used on the transceivers, and it sets</p> <p>15 out its optical characteristics; do you see</p> <p>16 that?</p> <p>17 MR. BUNIS: Where are you?</p> <p>18 A. Which page are you referring to?</p> <p>19 Q. No. The one that you're looking at now.</p> <p>20 A. So title would say the "Optical Modular</p> <p>21 Authentication" --</p> <p>22 Q. Yes.</p> <p>23 A. -- "Methods"?</p> <p>24 Q. Yes.</p>

<p style="text-align: center;">244</p> <p>1 A. I see it.</p> <p>2 Q. So that the information contained in this</p> <p>3 security bulletin would also be of no interest</p> <p>4 to you in your inspection?</p> <p>5 A. It would not. As -- as I've explained before,</p> <p>6 the reason for that is, again, based on my</p> <p>7 experience. I've seen counterfeit labels on</p> <p>8 genuine products. I've seen genuine labels on</p> <p>9 counterfeit products. And my goal was to</p> <p>10 analyze the product, not the holographic</p> <p>11 label. So that's why my testing methodology</p> <p>12 focuses on the product itself and not the</p> <p>13 label.</p> <p>14 The reason I asked for the information</p> <p>15 on the holographic labels was as a data point;</p> <p>16 and in very small cases, which is true for a</p> <p>17 company like Cisco, there are -- there are</p> <p>18 unique identifiers in some cases in the</p> <p>19 holographic label. And if that was the case,</p> <p>20 I would have decided on if that -- if that is</p> <p>21 something that I would have factored into my</p> <p>22 -- into my determination.</p> <p>23 But my testing methodology is focused</p> <p>24 on analyzing the product; and that's why I'm</p>	<p style="text-align: center;">246</p> <p>1 Q. Right. So in your analysis, and I think you</p> <p>2 testified to that before, it is possible that</p> <p>3 authentic transceivers carried counterfeit</p> <p>4 logos?</p> <p>5 A. It is possible that authentic transceivers</p> <p>6 have counterfeit labels --</p> <p>7 Q. Okay.</p> <p>8 A. -- are counterfeit holographic labels.</p> <p>9 Q. Okay. So if the subject transceivers had</p> <p>10 counterfeit holographic labels, that would not</p> <p>11 change your conclusion that the transceivers</p> <p>12 themselves are authentic?</p> <p>13 A. That is correct.</p> <p>14 Q. Okay. You -- do you express any opinion as to</p> <p>15 whether holographic labels on the transceivers</p> <p>16 were authentic or counterfeit?</p> <p>17 MR. BUNIS: Asked and answered.</p> <p>18 A. I -- I didn't analyze the holographic labels.</p> <p>19 Q. Well, look at Paragraph 81.</p> <p>20 A. Of -- of which document?</p> <p>21 Q. Of your report.</p> <p>22 A. Okay.</p> <p>23 Q. And you say in that paragraph, "I could (and</p> <p>24 did) readily make substantially similar</p>
<p style="text-align: center;">245</p> <p>1 looking at the EEPROM data. I'm looking at</p> <p>2 the -- the 1D representation and the</p> <p>3 redundancy that is created by the brands for a</p> <p>4 reason, same on the serial, same</p> <p>5 alphanumerically, same in the 1D barcode, same</p> <p>6 in the EEPROM and the 2D, whether 2D was</p> <p>7 present, the 2D barcode was present. So my</p> <p>8 methodology stays the same irrespective of</p> <p>9 what was presented here.</p> <p>10 Q. Okay. So irrespective of logo, you look at</p> <p>11 the product itself. When the logo is</p> <p>12 counterfeit -- well, they use logos. If the</p> <p>13 logo is counterfeit, you can still say that</p> <p>14 the product itself is authentic --</p> <p>15 A. Yeah.</p> <p>16 Q. -- correct?</p> <p>17 A. My goal is to analyze the product.</p> <p>18 Q. Yeah. So in your analysis, the results put in</p> <p>19 the appendix, you're saying that the</p> <p>20 transceiver itself is authentic, but you</p> <p>21 express no opinion whether the logo attached</p> <p>22 to that transceiver is authentic or</p> <p>23 counterfeit?</p> <p>24 A. I did not analyze the labels.</p>	<p style="text-align: center;">247</p> <p>1 observations just by looking at labels"; do</p> <p>2 you see that?</p> <p>3 A. Yes. I see that being written there.</p> <p>4 Q. And so you said that not only you could, but</p> <p>5 you did readily make substantially similar</p> <p>6 observations just by looking at the labels,</p> <p>7 correct?</p> <p>8 A. No. I --</p> <p>9 Q. No?</p> <p>10 A. No. What I mean by here is that all the</p> <p>11 observations that Dr. Fang made, I could have</p> <p>12 easily made that through my naked eyes. I did</p> <p>13 not need -- you know, there's no need for you</p> <p>14 to have a digital microscope. It just -- no</p> <p>15 need for "a digital microscope which is tilted</p> <p>16 at '27.6 degree angle with respect to the</p> <p>17 horizontal plane' at 200x magnification to</p> <p>18 observe that certain labels are damaged, or</p> <p>19 that the H3C logo shifts one direction or the</p> <p>20 other in others."</p> <p>21 All of this is something that could be</p> <p>22 observed, you could make similar observations</p> <p>23 by just looking at the label with your naked</p> <p>24 eyes.</p>

<p style="text-align: right;">248</p> <p>1 Q. But you didn't do that --</p> <p>2 A. I --</p> <p>3 Q. --- did you?</p> <p>4 A. I just -- just casually looked at a few</p> <p>5 labels, and I did see that the holographic</p> <p>6 labels looked like, you know, the H -- you</p> <p>7 know, they had the 3D element to it; and</p> <p>8 that's about it. But in looking at that --</p> <p>9 those labels, all the observations that</p> <p>10 Dr. Fang has made, there's no need for a</p> <p>11 device. One could do that with the naked eye.</p> <p>12 Q. Well, I understand that your contention -- my</p> <p>13 point is just factual. I want to establish</p> <p>14 whether you actually inspected the logos,</p> <p>15 whether you actually did find --</p> <p>16 THE WITNESS: Is it okay if we just</p> <p>17 take a quick break --</p> <p>18 Q. -- the --</p> <p>19 MR. JOFFE: Yeah.</p> <p>20 THE WITNESS: -- quick bathroom break,</p> <p>21 five- to ten-minute break?</p> <p>22 MR. JOFFE: Okay. Sure. We'll repeat</p> <p>23 the question.</p> <p>24 (Recess)</p>	<p style="text-align: right;">250</p> <p>1 A. Label.</p> <p>2 Q. Or label?</p> <p>3 A. Yes.</p> <p>4 Q. You have experienced that?</p> <p>5 A. That's right.</p> <p>6 Q. And you said that it's done when -- well, why</p> <p>7 don't you explain to me again what is the</p> <p>8 reason that authentic product could carry a</p> <p>9 counterfeit label?</p> <p>10 A. So as I said previously, a used product that</p> <p>11 is dumped into the second remarket in many</p> <p>12 cases is procured by counterfeit resellers,</p> <p>13 counterfeiting resellers, and then sold as new</p> <p>14 in box. And in wanting to do so, there are</p> <p>15 genuine labels or counterfeit labels, in this</p> <p>16 case, that are put -- put on the device to</p> <p>17 make it look like a new, in box product.</p> <p>18 Q. The count -- the original authentic device</p> <p>19 would have an original authentic label</p> <p>20 attached to it, correct?</p> <p>21 A. Not necessarily. So I'm talking about used</p> <p>22 devices that could be more than five, ten</p> <p>23 years old that can dump into the second</p> <p>24 remarket; and when they were originally</p>
<p style="text-align: right;">249</p> <p>1 (Discussion off the record)</p> <p>2 (Question and colloquy read)</p> <p>3 MR. JOFFE: So we're back on the</p> <p>4 record, and I will go back to my question that</p> <p>5 I tried to ask before the break.</p> <p>6 Q. My question was: You didn't analyze the</p> <p>7 holographic labels for indicators of</p> <p>8 counterfeit --</p> <p>9 A. Correct.</p> <p>10 Q. -- correct?</p> <p>11 A. Yeah.</p> <p>12 Q. You don't know whether holographic labels on</p> <p>13 the subject transceivers are counterfeit or</p> <p>14 authentic, correct?</p> <p>15 A. Correct.</p> <p>16 Q. And you've described one of the scenarios,</p> <p>17 whether authentic transceiver can have</p> <p>18 counterfeit label attached to it, correct?</p> <p>19 A. Yes.</p> <p>20 Q. Have you ever encountered in your experience</p> <p>21 dealing with the counterfeit products such</p> <p>22 denial whether the product itself was</p> <p>23 authentic based on the serial numbers matching</p> <p>24 and it carried a counterfeit holographic logo?</p>	<p style="text-align: right;">251</p> <p>1 designed, there were no holographic labels on</p> <p>2 them, and subsequently the holographic thick</p> <p>3 labels were a reinvent of the design. And</p> <p>4 that point in time for -- for them to make it</p> <p>5 look like a new in box product, they would</p> <p>6 have to put holographic labels on it; and</p> <p>7 that's where I've observed many cases in my</p> <p>8 previous analysis of such products where there</p> <p>9 is a counterfeit label on a product that is</p> <p>10 genuine.</p> <p>11 And when I -- when I say the product is</p> <p>12 "genuine," what I mean by that is -- or</p> <p>13 "authentic," what I mean by that is that it</p> <p>14 has been manufactured at an authorized</p> <p>15 facility by the OEM.</p> <p>16 Q. Well, I think you described genuine product</p> <p>17 that matches your guidance in Paragraph 52 as</p> <p>18 serial numbers. We're not going to repeat it</p> <p>19 again, but --</p> <p>20 A. Where is --</p> <p>21 Q. And I'm not trying to trick you, but your</p> <p>22 criteria was the match of the unique serial</p> <p>23 numbers across the product barcode and so</p> <p>24 forth, right? That's your criteria for --</p>

<p style="text-align: right;">252</p> <p>1 A. That's my testing methodology.</p> <p>2 Q. -- determining that?</p> <p>3 Okay. And you have not looked to</p> <p>4 determine whether the labels attached to it</p> <p>5 are counterfeit or authentic. So you have no</p> <p>6 opinions whether those transceivers carry</p> <p>7 counterfeit or authentic holographic labels,</p> <p>8 correct?</p> <p>9 A. I did not analyze the holographic labels, yes.</p> <p>10 Q. Okay. So you would allow for the possibility</p> <p>11 that the transceivers that you deemed genuine</p> <p>12 carried counterfeit holographic H3C logos or</p> <p>13 labels, correct?</p> <p>14 A. I'm sorry. Can you repeat that question</p> <p>15 again?</p> <p>16 Q. The transceivers, 647 transceivers that, based</p> <p>17 on your analysis, you deemed to be genuine</p> <p>18 could carry counterfeit holographic H3C</p> <p>19 labels?</p> <p>20 MR. BUNIS: Objection, hypothetical.</p> <p>21 You can answer.</p> <p>22 A. Hypothetically speaking, yes.</p> <p>23 Q. Well, you don't know, you didn't examine the</p> <p>24 logos, you don't know whether they are</p>	<p style="text-align: right;">254</p> <p>1 an integral part of the product, so --</p> <p>2 MR. BUNIS: Objection, vague.</p> <p>3 A. Yeah. I mean, the question is vague to me. I</p> <p>4 don't understand what you mean when you say</p> <p>5 "integral part of the product."</p> <p>6 Q. Well, in your description a transceiver itself</p> <p>7 could be deemed authentic based on serial</p> <p>8 number matches, but the logo -- label attached</p> <p>9 to it could be counterfeit?</p> <p>10 MR. BUNIS: Objection, misstates his</p> <p>11 prior testimony. You can answer if you</p> <p>12 understand.</p> <p>13 A. I am not sure if I understood. If you could</p> <p>14 you repeat that question again.</p> <p>15 Q. Yes. The transceiver that matches your</p> <p>16 guidance in Paragraph 52 with all the serial</p> <p>17 numbers matching, which are determined then to</p> <p>18 be a genuine product, could have a counterfeit</p> <p>19 label attached to it?</p> <p>20 MR. BUNIS: Holographically?</p> <p>21 Q. Yeah.</p> <p>22 MR. BUNIS: You can answer.</p> <p>23 A. Yes.</p> <p>24 Q. Okay. I'm going to show you --</p>
<p style="text-align: right;">253</p> <p>1 authentic?</p> <p>2 A. But you gave me a hypothetical situation --</p> <p>3 Q. Right.</p> <p>4 A. -- they were counterfeit. So that's why my</p> <p>5 response is hypothetically speaking.</p> <p>6 Q. Correct. And your report doesn't speak on the</p> <p>7 issue of holographic logos?</p> <p>8 MR. BUNIS: Labels.</p> <p>9 A. I've said it, yeah --</p> <p>10 Q. Yeah.</p> <p>11 A. -- many times. I did not analyze the</p> <p>12 holographic labels. That was not part of my</p> <p>13 methodology.</p> <p>14 Q. Why do manufacturers use holographic labels?</p> <p>15 A. As a deterrent to counterfeiters.</p> <p>16 Q. I think you've described in your report that</p> <p>17 they are hard to counterfeit; that's why it's</p> <p>18 a deterrent to counterfeiters?</p> <p>19 A. That is true. They're hard and they're</p> <p>20 expensive to produce.</p> <p>21 Q. You don't consider labels as an integral part</p> <p>22 of the product?</p> <p>23 MR. BUNIS: Label?</p> <p>24 Q. Holographic label, you don't consider it to be</p>	<p style="text-align: right;">255</p> <p>1 MR. JOFFE: Mark this, please.</p> <p>2 (PX Exhibit No. 14, Validate marked</p> <p>3 for identification)</p> <p>4 Q. Have you had a chance to look at the document?</p> <p>5 A. I believe the document is missing images.</p> <p>6 Q. Yes, it does. That's the function of printing</p> <p>7 off the website. So there are images missing.</p> <p>8 But I want to ask you about the text that's --</p> <p>9 MR. JOFFE: May I borrow your copy for</p> <p>10 a second?</p> <p>11 MR. BUNIS: I've written on my copy.</p> <p>12 MR. JOFFE: Yeah. That's -- I'm not</p> <p>13 going to look.</p> <p>14 MR. SASO: Hold on. I think we have a</p> <p>15 clean copy.</p> <p>16 MR. JOFFE: Yeah. So you have an extra</p> <p>17 copy?</p> <p>18 MR. BUNIS: You gave us --</p> <p>19 MR. JOFFE: I gave you. I was looking</p> <p>20 for it. That's why I couldn't find it.</p> <p>21 Q. So that's what I want to ask you about. The</p> <p>22 second page of the document, that says "Visual</p> <p>23 Inspection - Label Hologram"; do you have</p> <p>24 that?</p>

<p style="text-align: right;">256</p> <p>1 MR. SASO: Dimitry, do you have any</p> <p>2 representation as to what this is that you're</p> <p>3 showing the witness?</p> <p>4 MR. JOFFE: This is a printout of an</p> <p>5 HPE document. It's called Validation -- well</p> <p>6 --</p> <p>7 MR. SASO: Done by whom, when, and what</p> <p>8 website?</p> <p>9 MR. JOFFE: I printed it out, and I'll</p> <p>10 be happy to provide you the reference to the</p> <p>11 website.</p> <p>12 MR. SASO: When was it printed?</p> <p>13 MR. BUNIS: When was this printed?</p> <p>14 MR. JOFFE: Two days ago or a day ago.</p> <p>15 MR. SASO: Okay. We just need -- we</p> <p>16 haven't identified the document.</p> <p>17 MR. JOFFE: Yeah. I'll be happy to</p> <p>18 identify the website and provide the link.</p> <p>19 Q. But I want to direct your attention to the</p> <p>20 second page where the document says that "To</p> <p>21 help prevent security labels from being</p> <p>22 counterfeited, HP uses a two-factor</p> <p>23 authentication system. The security ID can be</p> <p>24 validated at the top of this web page, and the</p>	<p style="text-align: right;">258</p> <p>1 the serial numbers; and the other is to use</p> <p>2 hologram labels?</p> <p>3 A. No. I was not aware of that.</p> <p>4 Q. Why would manufacturers use holographic labels</p> <p>5 on the product?</p> <p>6 A. As a deterrent to counterfeiters.</p> <p>7 Q. But you said that holographic labels</p> <p>8 themselves, they don't indicate whether the</p> <p>9 product is counterfeit or authentic?</p> <p>10 A. Correct.</p> <p>11 Q. So how would they be then a deterrent to</p> <p>12 counterfeiters?</p> <p>13 A. They're a deterrent because they're -- they're</p> <p>14 difficult and expensive to produce, and the</p> <p>15 counterfeiters now have to somehow prove --</p> <p>16 you know, affix a holographic label or a label</p> <p>17 that looks like a holographic label on the</p> <p>18 product. So it's essentially raising the bar</p> <p>19 for the counterfeiters in terms of their</p> <p>20 production of counterfeit products.</p> <p>21 Q. For -- you worked with law enforcement</p> <p>22 agencies? I think you said in your report</p> <p>23 that you helped law enforcement agencies</p> <p>24 prosecute cases of counterfeiting?</p>
<p style="text-align: right;">257</p> <p>1 hologram can be validated within the</p> <p>2 guidelines here."</p> <p>3 So are you familiar with the use of</p> <p>4 hologram as a part of authentication system?</p> <p>5 A. I'm not sure I understand that question.</p> <p>6 Q. Well, I think what this says is that you used</p> <p>7 two steps, two-factor authentication of the</p> <p>8 product. You compare the security label, the</p> <p>9 ID number, the serial number that you can</p> <p>10 identify; and as a second step, you inspect --</p> <p>11 visually inspect hologram labels?</p> <p>12 MR. BUNIS: Are you asking him about</p> <p>13 his experience with holograms in general or</p> <p>14 about this document (indicating)?</p> <p>15 MR. JOFFE: I am asking about</p> <p>16 Mr. Raina's familiarity with manufacturers</p> <p>17 using both factors as authenticity</p> <p>18 confirmation, both checking the serial number</p> <p>19 on the product and reviewing holographic</p> <p>20 labels on the product.</p> <p>21 A. I'm sorry?</p> <p>22 Q. What -- yeah. Are you familiar that</p> <p>23 manufacturers like HPE use two factors to</p> <p>24 authenticate the product: One, is to check</p>	<p style="text-align: right;">259</p> <p>1 A. That's correct.</p> <p>2 Q. And if the person is selling a product there</p> <p>3 in counterfeit trademark logo, would that</p> <p>4 person used as subject to prosecution, if you</p> <p>5 know?</p> <p>6 MR. BUNIS: Objection, hypothetical.</p> <p>7 You can answer.</p> <p>8 A. I would not know the answer.</p> <p>9 Q. You don't know?</p> <p>10 A. I'm not a lawyer. So I'm not -- I cannot</p> <p>11 answer that question.</p> <p>12 Q. Did you -- in your experience, did you come</p> <p>13 across instances whereas you said authentic</p> <p>14 product would carry a counterfeit holographic</p> <p>15 label? Did you come across those instances?</p> <p>16 MR. BUNIS: Asked and answered.</p> <p>17 A. Yes.</p> <p>18 Q. And what would be the consequences for the</p> <p>19 person selling such product?</p> <p>20 A. From a legal perspective, I -- I wouldn't</p> <p>21 know. I was -- I was the head of the</p> <p>22 engineering team, and my responsibility was to</p> <p>23 analyze the product and deem whether it is</p> <p>24 counterfeit or genuine and capture that</p>

<p style="text-align: right;">260</p> <p>1 analysis. And my focus has always been on</p> <p>2 analyzing the product itself, because at the</p> <p>3 end of the day what we're really trying to</p> <p>4 prove is, is the product counterfeit or</p> <p>5 genuine, not the label, holographic label that</p> <p>6 is on the product.</p> <p>7 Q. But the holographic label is used as an</p> <p>8 anti-counterfeiting feature of the product, is</p> <p>9 it not?</p> <p>10 A. I do not consider holographic labels as an</p> <p>11 anti-counterfeiting feature. In my opinion,</p> <p>12 an anti-counterfeiting feature is a feature</p> <p>13 that does not allow you to counterfeit a</p> <p>14 product. There's nothing about the</p> <p>15 holographic label that does not allow the</p> <p>16 counterfeiter to counterfeit a transceiver and</p> <p>17 just apply a counterfeit label on top of it.</p> <p>18 A counterfeiter can still counterfeit a</p> <p>19 product, a functional counterfeit product</p> <p>20 without the label. So to me it is not an</p> <p>21 anti-counterfeit technology.</p> <p>22 Q. Just to confirm, you just said that</p> <p>23 holographic label, in your opinion, is not an</p> <p>24 anti-counterfeit technology?</p>	<p style="text-align: right;">262</p> <p>1 A. I just underlined a couple of lines.</p> <p>2 MR. JOFFE: Okay. Let the record</p> <p>3 indicate that the witness underlined the</p> <p>4 document.</p> <p>5 A. So I cannot underline?</p> <p>6 Q. Well, yes. As long as the record reflects</p> <p>7 that it's you making the underlining --</p> <p>8 A. Okay.</p> <p>9 Q. -- and I did not give you the underlined</p> <p>10 document, that's fine.</p> <p>11 A. Okay. So --</p> <p>12 (Discussion off the record)</p> <p>13 Q. Have you had a chance to review it?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. Let me read one passage from the</p> <p>16 document. It appears right under Figure 2.</p> <p>17 There are no pages printed off the website,</p> <p>18 but you will see Figure 2.</p> <p>19 MR. BUNIS: It's the eighth page, I</p> <p>20 think.</p> <p>21 Q. And I will read it for the record. "Beware</p> <p>22 that it is a common practice for</p> <p>23 counterfeiters" --</p> <p>24 A. Can you -- which paragraph? I'm sorry.</p>
<p style="text-align: right;">261</p> <p>1 A. Correct, in my opinion.</p> <p>2 Q. And we saw that Exhibit PX 11, which is H3C's</p> <p>3 Statement on Anti-Counterfeiting," which we</p> <p>4 see "Hosts and Optical Modules." Optical</p> <p>5 modules is transceivers. But H3C used this, I</p> <p>6 believe, as anti-counterfeit technology for</p> <p>7 their transceivers, no?</p> <p>8 MR. BUNIS: Objection.</p> <p>9 A. I cannot be sure of that, as to how they</p> <p>10 perceived it. But my opinion is that it is</p> <p>11 not an anti-counterfeit technology.</p> <p>12 Q. I'm going to show you one more document.</p> <p>13 MR. JOFFE: Let's mark this.</p> <p>14 (PX Exhibit No. 15, Hewlett Packard</p> <p>15 Enterprise marked for identification)</p> <p>16 Q. And this document has also been printed off</p> <p>17 the HPE website. It is called "Verification</p> <p>18 of Authentic HPE Universal Hard Drives and</p> <p>19 Solid State Drives."</p> <p>20 MR. BUNIS: Take your time.</p> <p>21 Q. I'm sorry. Mr. -- are you marking up the copy</p> <p>22 that's --</p> <p>23 A. (Indicating.)</p> <p>24 Q. Yeah. How much did you mark up there?</p>	<p style="text-align: right;">263</p> <p>1 just --</p> <p>2 Q. It's right under Figure 2.</p> <p>3 A. Okay.</p> <p>4 Q. "Beware that it is a common practice for</p> <p>5 counterfeiters to 'reuse' serial numbers</p> <p>6 listed on the packaging and often on the</p> <p>7 invoice and the number printed on the product</p> <p>8 label in an effort to convince a customer that</p> <p>9 the product is authentic. This serial number</p> <p>10 is not intended to be used for product</p> <p>11 validation."</p> <p>12 Do you see that statement?</p> <p>13 A. Yes.</p> <p>14 Q. Do you agree with it?</p> <p>15 A. The serial number by itself is not used --</p> <p>16 Q. Do you agree with the statement that's made in</p> <p>17 this document?</p> <p>18 A. I think what this statement means is that if</p> <p>19 you're just looking at the serial number, just</p> <p>20 based on that data point, then you cannot</p> <p>21 prove one way or the other if the product is</p> <p>22 authentic or counterfeit. But in my analysis,</p> <p>23 I'm just not looking at the serial number.</p> <p>24 I'm looking at the serial number</p>

<p style="text-align: right;">264</p> <p>1 representation in the 1D barcode, and I'm</p> <p>2 looking at the serial number that is burned in</p> <p>3 the EEPROM.</p> <p>4 So there is a difference between this</p> <p>5 statement and the multiprong approach that I</p> <p>6 took. I was just not looking at the serial</p> <p>7 number on the label. I was also looking at as</p> <p>8 to how it was represented in the 1D barcode;</p> <p>9 and then furthermore, if that same serial</p> <p>10 number was also written into the EEPROM.</p> <p>11 Q. I understand that. But as long as it's</p> <p>12 repeated in the security in the barcode and</p> <p>13 EEPROM and on the label, it's the serial</p> <p>14 number that you are using for authentication</p> <p>15 of the transceivers, correct?</p> <p>16 MR. BUNIS: Objection.</p> <p>17 A. I dis --</p> <p>18 MR. BUNIS: Objection, misstates his</p> <p>19 prior testimony. You can answer.</p> <p>20 A. I disagree with that statement. What I'm</p> <p>21 relying on is the redundancy of the serial</p> <p>22 numbers across --</p> <p>23 Q. Right.</p> <p>24 A. -- and that are printed in 1D barcode and</p>	<p style="text-align: right;">266</p> <p>1 contain unique serial number to you, in your</p> <p>2 opinion, is in itself evidence that they are</p> <p>3 all authentic; and I'm asking you whether you</p> <p>4 disagree with the statement by one of the</p> <p>5 defendants, HPE, that the serial number is not</p> <p>6 intended to be used for product validation?</p> <p>7 MR. BUNIS: Objection. I think this is</p> <p>8 -- you're talking about two completely</p> <p>9 different products.</p> <p>10 MR. JOFFE: Are you testifying for the</p> <p>11 witness? Are you an expert?</p> <p>12 MR. BUNIS: I think you're deliberately</p> <p>13 trying to confuse --</p> <p>14 MR. JOFFE: I think --</p> <p>15 MR. BUNIS: -- the witness.</p> <p>16 MR. JOFFE: I think if we read the</p> <p>17 record you will see that you making so many</p> <p>18 speaking objections, that you are not only</p> <p>19 putting the words into Mr. Raina's mouth, you</p> <p>20 are actually testifying for him. Are you now</p> <p>21 answering my questions?</p> <p>22 Can you just be quiet for just a little</p> <p>23 bit and make your objections as we agreed,</p> <p>24 state it briefly and concisely, and don't</p>
<p style="text-align: right;">265</p> <p>1 written into the EEPROM.</p> <p>2 Q. Correct. And my question is: If the serial</p> <p>3 number is redundant, as you said, and it's the</p> <p>4 same on the label, 1D barcode, and EEPROM,</p> <p>5 then you would rely on that serial number to</p> <p>6 authenticate the transceiver, correct?</p> <p>7 A. I rely on the redundant nature --</p> <p>8 Q. Yes.</p> <p>9 A. -- of the serial number for it to be</p> <p>10 authentic. And if the serial number does not</p> <p>11 match, like it did not in the product --</p> <p>12 Q. I --</p> <p>13 A. -- products that were deemed counterfeit, then</p> <p>14 to me that is an indication of a counterfeit</p> <p>15 operation.</p> <p>16 Q. Correct. So that's what I wanted to confirm.</p> <p>17 Your report, in particular in Paragraph 67, it</p> <p>18 expressly says that "Importantly, the mere</p> <p>19 fact that every one of the 647 transceivers</p> <p>20 contains a unique serial number is itself</p> <p>21 evidence that they are all authentic."</p> <p>22 A. And -- and your -- I'm sorry. Your question</p> <p>23 is?</p> <p>24 Q. My question is: That the fact that they</p>	<p style="text-align: right;">267</p> <p>1 testify for the witness? I'm serious,</p> <p>2 Michael. We have a record. It will be before</p> <p>3 Judge Sorokin.</p> <p>4 Q. Do you need me to repeat the question?</p> <p>5 A. Yes.</p> <p>6 Q. You state in your report, on Paragraph 67,</p> <p>7 "Importantly, the mere fact that every one of</p> <p>8 the 647 transceivers contains a unique serial</p> <p>9 number is itself evidence that they're all</p> <p>10 authentic." HPE paper says that "The serial</p> <p>11 number is not intended to be used for product</p> <p>12 validation." And HPE paper also explains why,</p> <p>13 because "it is a common practice for</p> <p>14 counterfeiters to 'reuse' serial numbers in an</p> <p>15 effort to convince a customer that the product</p> <p>16 is authentic."</p> <p>17 So my question is: Do you disagree</p> <p>18 with the HPE statement?</p> <p>19 MR. BUNIS: Objection, vague. You can</p> <p>20 go.</p> <p>21 A. These are two different statements in my</p> <p>22 opinion. What I'm saying is very different</p> <p>23 from what they're saying. I'm saying that</p> <p>24 the mere fact that every one of the</p>

<p style="text-align: right;">268</p> <p>1 647 transceivers contains a unique -- and I</p> <p>2 would like to emphasize "unique" -- serial</p> <p>3 number is itself evidence that they're not all</p> <p>4 -- they're all authentic.</p> <p>5 So, again, as I was saying earlier, as</p> <p>6 I'm looking at multiple data points, besides</p> <p>7 the three of the -- four indicators that I</p> <p>8 talked about earlier, I was looking at the</p> <p>9 647 products. And since the 647 products did</p> <p>10 not repeat any serial numbers, there were no</p> <p>11 duplicate serial numbers, so I'm looking at it</p> <p>12 from a holistic perspective and a batch of</p> <p>13 products that I'm looking at. This is only</p> <p>14 talking about a serial number for a given</p> <p>15 product, and that also is not talking about</p> <p>16 the redundancy.</p> <p>17 And because the context for this could</p> <p>18 be for a product that does not have the</p> <p>19 attributes that are present for a transceiver</p> <p>20 where the serial number is also burned into</p> <p>21 the EEPROM and the ID barcode as well.</p> <p>22 Q. And do you see the HPE paper goes on to</p> <p>23 describe "florescent holograms for</p> <p>24 authentication"? It's in the same part of the</p>	<p style="text-align: right;">270</p> <p>1 that?</p> <p>2 A. Yes.</p> <p>3 Q. And then it says, "Security strip has</p> <p>4 florescent holograms for authentication"?</p> <p>5 A. Correct.</p> <p>6 Q. And it goes on to discuss holograms that are</p> <p>7 used for authentication. Do you see that</p> <p>8 under Figure 3 and other figures? They all</p> <p>9 describe use of holograms for authentication;</p> <p>10 do you see that?</p> <p>11 A. I do.</p> <p>12 Q. Okay. So you disagree that holograms indicate</p> <p>13 -- are indicators of authenticity or</p> <p>14 counterfeiting?</p> <p>15 MR. BUNIS: Objection, misstates his</p> <p>16 prior testimony. You can answer.</p> <p>17 A. Again, my goal was to analyze the product and</p> <p>18 deem whether it was counterfeit or genuine.</p> <p>19 And I would like to bring your attention --</p> <p>20 because I think this would be very revealing</p> <p>21 for you. I would like to bring your attention</p> <p>22 to page No. --</p> <p>23 Q. I have no page numbers.</p> <p>24 A. -- 5. I mean, there's no page. So you'll</p>
<p style="text-align: right;">269</p> <p>1 paper (indicating).</p> <p>2 A. Actually, I would -- I would like to bring</p> <p>3 your attention --</p> <p>4 Q. No. Can you answer my question, please,</p> <p>5 before bringing anything to my attention?</p> <p>6 A. Okay. But I would like to come back to it,</p> <p>7 because I think this is a very important</p> <p>8 point.</p> <p>9 Q. Can you answer my question, and I'll give you</p> <p>10 the opportunity. I just want to ask you</p> <p>11 whether you see that the paper refers to</p> <p>12 "florescent holograms for authentication?"</p> <p>13 A. Which page is this? Can you tell me?</p> <p>14 Q. It's the same page (indicating), the same we</p> <p>15 were looking at.</p> <p>16 A. And where do you -- where are you reading that</p> <p>17 off from?</p> <p>18 Q. It's right after the statement that "the</p> <p>19 serial number is not intended to be used for</p> <p>20 product validation."</p> <p>21 A. Mm-hmm.</p> <p>22 Q. And then the next sentence, "The latest HPE</p> <p>23 security label, which began in April 2019, has</p> <p>24 the following security features"; do you see</p>	<p style="text-align: right;">271</p> <p>1 have to count from the beginning. One, two,</p> <p>2 three, four -- five. And if you look at the</p> <p>3 paragraph under "Security Labels," the second</p> <p>4 sentence, and I will read this out, "These</p> <p>5 labels have many layered security features</p> <p>6 that provide cover and overt security to keep</p> <p>7 the labels" -- and I'll rein- -- I'll repeat</p> <p>8 that again -- "to keep the labels from being</p> <p>9 counterfeited."</p> <p>10 So this goes back to the point I was</p> <p>11 making earlier. Labels can be counterfeited.</p> <p>12 That has no bearing on whether the product</p> <p>13 that the label is applied on is counterfeit or</p> <p>14 genuine. That is why, in my experience, and</p> <p>15 my experience is almost 20 years, I rely on</p> <p>16 doing an analysis of the product and not the</p> <p>17 labels. And it is proven by this statement</p> <p>18 made here (indicating).</p> <p>19 Q. When you said that you then disagree with the</p> <p>20 statement that the serial number is not</p> <p>21 intended to be used for product validation --</p> <p>22 A. Again, I think the context of that is not</p> <p>23 clear, and it's not the same. And I'll just</p> <p>24 repeat my answer again, which is, I'm looking</p>

<p style="text-align: right;">272</p> <p>1 at the redundancy of serial numbers, not just</p> <p>2 on the fact that it is a serial number.</p> <p>3 Q. Does Cisco use any security labels -- let's</p> <p>4 say this. Did Cisco use any holographic</p> <p>5 security labels on its transceivers?</p> <p>6 A. No.</p> <p>7 Q. Did Cisco use any other type of security</p> <p>8 features on transceivers?</p> <p>9 A. We did, yes.</p> <p>10 Q. And what kind of security features?</p> <p>11 A. I'm not sure if I can divulge that</p> <p>12 information. That's confidential.</p> <p>13 Q. You can divulge confidential, but I'm not</p> <p>14 asking you about confidential information.</p> <p>15 Let's say in 2009 or 2010, when you were there</p> <p>16 at Cisco, did you know if Cisco used any</p> <p>17 security features on its labels?</p> <p>18 A. On which labels?</p> <p>19 Q. Transceiver labels.</p> <p>20 A. There was a security element built into the</p> <p>21 transceivers labels, yes.</p> <p>22 Q. Why was it used?</p> <p>23 A. As a deterrent, again.</p> <p>24 Q. Well, what kind of deterrent was that? Was it</p>	<p style="text-align: right;">274</p> <p>1 of the day, only HPE is -- has the ability to</p> <p>2 analyze the product in the holistic fashion</p> <p>3 like I did for the transceivers, and only they</p> <p>4 can state whether -- truly state whether the</p> <p>5 product is genuine or counterfeit.</p> <p>6 Q. And --</p> <p>7 A. And as they stated on this -- on page No. 5</p> <p>8 that I reported out, that overt and covert</p> <p>9 features built into the security label just</p> <p>10 make it difficult from the labels from being</p> <p>11 counterfeited, not necessarily the product.</p> <p>12 The product can still be counterfeited.</p> <p>13 There's nothing stopping the counterfeiters</p> <p>14 from counterfeiting the product. A label is</p> <p>15 just something that you apply on top of the</p> <p>16 product.</p> <p>17 So for you to truly know if the product</p> <p>18 is genuine or counterfeit, you have to analyze</p> <p>19 the product itself.</p> <p>20 Q. Well, but it's -- my question is: HPE is a</p> <p>21 manufacturer of -- original equipment</p> <p>22 manufacturer of these products, correct?</p> <p>23 MR. BUNIS: Objection.</p> <p>24 A. I --</p>
<p style="text-align: right;">273</p> <p>1 overt or covert?</p> <p>2 A. I'm not sure that question makes sense. It's</p> <p>3 a -- it's a deterrent, just -- just period.</p> <p>4 It's a deterrent and it raises the bar for the</p> <p>5 counterfeiters to produce -- or the</p> <p>6 counterfeit Cisco products. They have to</p> <p>7 worry about an additional thing that they need</p> <p>8 to do in order to counterfeit a Cisco product.</p> <p>9 So it's referred to as deterrent.</p> <p>10 Q. Okay. Take a look at the first page of this</p> <p>11 exhibit (indicating). Yeah. And there is a</p> <p>12 second paragraph that says "Authentication by</p> <p>13 HPE may be the only means of determining</p> <p>14 whether product is genuine or not."</p> <p>15 A. Where are you reading this from?</p> <p>16 Q. I'm reading on the second paragraph on the</p> <p>17 first page (indicating).</p> <p>18 A. Yes.</p> <p>19 Q. Why do you think authentication with HPE may</p> <p>20 be the only means of determining the genuiness</p> <p>21 of counterfeit nature of the product?</p> <p>22 MR. BUNIS: If you know?</p> <p>23 A. I think it might -- I -- I -- it might be the</p> <p>24 reasons that I'm stating, which is, at the end</p>	<p style="text-align: right;">275</p> <p>1 Q. Well, when it says that "authentication by HPE</p> <p>2 may be the only means of determining whether</p> <p>3 the product is genuine," they -- wouldn't you</p> <p>4 agree that they refer to HPE products?</p> <p>5 A. I -- I -- I cannot say that unless they</p> <p>6 categorically say that. I am not able to say</p> <p>7 that conclusively.</p> <p>8 Q. When you were at Cisco, did you analyze Cisco</p> <p>9 brand counterfeit products --</p> <p>10 A. Yes.</p> <p>11 Q. -- or some other brands?</p> <p>12 A. Cisco brand.</p> <p>13 Q. Cisco brand only?</p> <p>14 And Cisco work on authenticity or</p> <p>15 counterfeit nature of its product was the</p> <p>16 ultimate work, correct?</p> <p>17 A. I'm sorry. Can you --</p> <p>18 Q. If Cisco said that this product is genuine,</p> <p>19 its own product, then you will not be able to</p> <p>20 challenge that conclusion, right?</p> <p>21 MR. BUNIS: Objection, hypothetical.</p> <p>22 You can answer.</p> <p>23 A. They would be the source of that in that case,</p> <p>24 yes.</p>

<p style="text-align: right;">276</p> <p>1 Q. Yes. So Cisco was the ultimate authority on</p> <p>2 the counterfeit or authentic nature of its own</p> <p>3 products, correct?</p> <p>4 A. Yes.</p> <p>5 Q. If Cisco said in your face -- you as a Cisco</p> <p>6 representative said this is a counterfeit</p> <p>7 Cisco product, then who would be able to</p> <p>8 challenge that conclusion?</p> <p>9 MR. BUNIS: Objection, hypothetical.</p> <p>10 You can go ahead.</p> <p>11 A. I'm not sure if I follow the question. I</p> <p>12 mean, somebody could still disagree with the</p> <p>13 analysis.</p> <p>14 Q. Yes. And in your view, whose analysis would</p> <p>15 be more credible?</p> <p>16 MR. BUNIS: Objection, hypothetical.</p> <p>17 You can answer if you can.</p> <p>18 A. It will have to be based on facts. You know,</p> <p>19 you have to look at the facts. So I cannot</p> <p>20 say one way or the other as to whose analysis</p> <p>21 is the -- is the right one.</p> <p>22 Q. Well, if Cisco received a batch of products</p> <p>23 for its analysis, Cisco analyzed the product</p> <p>24 and Cisco determined that this product is</p>	<p style="text-align: right;">278</p> <p>1 A. It -- again, I -- it's difficult for me to</p> <p>2 answer this question without really knowing</p> <p>3 the facts. I'm an engineer. So for me it's</p> <p>4 important to know what the facts are, for me</p> <p>5 to analyze it, and then say one way or the</p> <p>6 other if I feel who is -- who -- who has the</p> <p>7 right analysis. That's just my honest answer.</p> <p>8 Q. Are you a member of any professional</p> <p>9 organizations or associations?</p> <p>10 A. No.</p> <p>11 Q. Is True Pedigree a member of any professional</p> <p>12 associations?</p> <p>13 A. No.</p> <p>14 Q. Do you know -- are you aware of an</p> <p>15 organization called INTA, which stands for</p> <p>16 International Trademark Association?</p> <p>17 A. Yes.</p> <p>18 Q. You're aware of that?</p> <p>19 A. Yes.</p> <p>20 Q. Do you know if Cisco is a member of INTA?</p> <p>21 A. I'm not sure if I know that they are currently</p> <p>22 a member or not.</p> <p>23 Q. Do you know if HP is a member of INTA?</p> <p>24 A. I'm not sure of that either.</p>
<p style="text-align: right;">277</p> <p>1 counterfeit, right, and the person who was</p> <p>2 selling the product says, No, it was</p> <p>3 authentic, whose opinion would matter in this</p> <p>4 circumstance?</p> <p>5 MR. BUNIS: Objection, hypothetical,</p> <p>6 vague. Answer if you can.</p> <p>7 A. It's -- you'll have to look at both the -- you</p> <p>8 know, I -- I'm not at liberty to make -- to</p> <p>9 say which one you will agree upon.</p> <p>10 Q. Right.</p> <p>11 A. You have to -- you will have to look at the</p> <p>12 facts on both sides in totality.</p> <p>13 Q. So it's possible that Cisco says that its own</p> <p>14 product is counterfeit where it's actually not</p> <p>15 counterfeit but authentic?</p> <p>16 A. Hypothetically speaking, that can be true,</p> <p>17 yes. Somebody might disagree with it, with</p> <p>18 the analysis.</p> <p>19 Q. Yeah. But everyone can disagree, but it is a</p> <p>20 Cisco word about its own products. Does it</p> <p>21 carry more weight than the third-party word</p> <p>22 about its products?</p> <p>23 MR. BUNIS: Objection, hypothetical.</p> <p>24 You can answer.</p>	<p style="text-align: right;">279</p> <p>1 Q. And how do you know about INTA?</p> <p>2 A. It is -- it is one of the organizations that</p> <p>3 I'm familiar with because of my experience in</p> <p>4 this space.</p> <p>5 Q. Do they work in counter- -- anti-counterfeiting</p> <p>6 on -- anti-counterfeiting issues?</p> <p>7 A. I'm not sure what you mean by that question in</p> <p>8 terms of -- when you say "they work," what --</p> <p>9 what does that mean?</p> <p>10 Q. Are you familiar with the applications,</p> <p>11 reports?</p> <p>12 A. I haven't --</p> <p>13 Q. -- what's put in the report?</p> <p>14 A. Yeah. I haven't read any of the reports or</p> <p>15 publications; but, yeah, they work in this</p> <p>16 space. They're an organization that works in</p> <p>17 this space.</p> <p>18 Q. Mm-hmm. And is it a reputable organization?</p> <p>19 MR. BUNIS: If you know?</p> <p>20 A. Yeah, I think so.</p> <p>21 Q. Okay.</p> <p>22 Okay. So I want to introduce another</p> <p>23 document.</p> <p>24 (Discussion off the record)</p>

280	282
1 (PX Exhibit No. 16, Expert Witnesses in	1 object to this document being introduced
2 Court Proceedings for Actions Against	2 insofar as it doesn't bear any hallmark of
3 Counterfeit Goods marked for	3 authenticity of not knowing when it was
4 identification)	4 created in time.
5 Q. And the document is a multipage document, and	5 (Discussion off the record)
6 most of it is completely irrelevant to what	6 A. I read it and is it okay if we take a break?
7 we're discussing, because it goes and analyze	7 But I've read all the way through the first
8 situations in various countries, which are of	8 three pages.
9 no relevance to us. And what's relevance to	9 Q. Okay.
10 it us is page 2 -- is pages 1, 2, and 3. And	10 MR. BUNIS: Go off the record.
11 if you can just take a look at pages 1, 2, and	11 (Discussion off the record)
12 3 --	12 (Recess)
13 A. Okay.	13 Q. Without asking you about the substance, I'm
14 Q. -- of the document, which is entitled "Expert	14 going ask you if you talked to your counsel
15 Witnesses in Court Proceedings for Actions	15 during the break?
16 Against Counterfeit Goods." And it is issued	16 A. Yes.
17 by International Trademark Association.	17 Q. Yes. And whether you discussed the exhibit,
18 MR. BUNIS: Where is this from?	18 expert report in front of you?
19 MR. JOFFE: This is from INTA, that	19 MR. BUNIS: I'm sorry. What did you
20 website.	20 ask?
21 MR. BUNIS: When was it --	21 MR. JOFFE: Whether the witness
22 MR. JOFFE: It was issue --	22 discussed the "Expert Witnesses in Court
23 MR. BUNIS: Does it have a date?	23 Proceeding for Actions Against Counterfeit
24 MR. JOFFE: -- in -- I believe it was	24 Goods," the report by INTA, the exhibit that I
281	283
1 issued --	1 placed before the witness right before he
2 (Discussion off the record)	2 called for a break.
3 MR. JOFFE: It's within the -- I	3 MR. BUNIS: I'm going to instruct the
4 believe within the last two or three years. I	4 witness not to answer.
5 think it's 2016 or '17. But it's -- if you go	5 Q. Did you discuss your testimony of this
6 on the website, it's listed there and it has	6 deposition?
7 the date on the website, on the INTA website.	7 MR. BUNIS: I'm sorry?
8 MR. BUNIS: Are you representing that	8 Q. I'm not asking you -- I just want to ask you
9 it's of a particular date or you don't know?	9 whether you discussed your testimony with your
10 MR. JOFFE: Yeah. It has a date. It	10 counsel during the break?
11 -- maybe not the particular date, but it would	11 MR. BUNIS: You can answer yes or no.
12 say December 2016.	12 A. Yes.
13 MR. BUNIS: No. My point is do you	13 Q. You did.
14 know the date of the document?	14 Okay. Have you had a chance to read
15 MR. JOFFE: I knew the date. I just	15 the first two pages -- the first three pages
16 don't remember the date at this point.	16 of the expert report?
17 MR. BUNIS: So as you sit here today,	17 The report says -- and I'll quote a few
18 you don't know the date.	18 sentences from it.
19 MR. JOFFE: I don't remember the date	19 "In the U.S., Canada" --
20 of it.	20 THE STENOGRAPHER: I'm sorry?
21 MR. BUNIS: Okay.	21 Q. "In the U.S., Canada, Australia, as well in
22 MR. JOFFE: But that's available on	22 the majority of E.U. countries, the sole
23 inta.org.	23 person or entity entitled to determine whether
24 MR. BUNIS: All right. So we would	24 the goods in question are counterfeit is the

<p style="text-align: right;">284</p> <p>1 right holder of the trademark used on the</p> <p>2 subject goods. This is" --</p> <p>3 A. Which -- I'm sorry. What was --</p> <p>4 Q. The second paragraph --</p> <p>5 A. Second paragraph.</p> <p>6 Q. -- on page one.</p> <p>7 A. Okay.</p> <p>8 Q. "This is the only logical choice, since only</p> <p>9 the manufacturer of the genuine goods can know</p> <p>10 if the goods in question originated from its</p> <p>11 factory."</p> <p>12 The report continues to say, "in</p> <p>13 certain countries, an 'expert' is appointed to</p> <p>14 determine if the goods are counterfeit. This</p> <p>15 'expert' is not affiliated with the trademark</p> <p>16 owner and is not familiar with the materials,</p> <p>17 process or distribution of genuine goods. If</p> <p>18 this role to determine whether the goods are</p> <p>19 counterfeit is assigned to such a third party,</p> <p>20 this would go against the principle of truth."</p> <p>21 Do you see that?</p> <p>22 A. Yes.</p> <p>23 Q. You haven't been affiliated with the H3C,</p> <p>24 correct?</p>	<p style="text-align: right;">286</p> <p>1 particularly dangerous in the case where the</p> <p>2 expert argues that the goods are not</p> <p>3 counterfeit, when, in fact, they are" and it</p> <p>4 can lead to mistaken court ruling --</p> <p>5 MR. BUNIS: Where --</p> <p>6 Q. -- that the goods are not counterfeit?</p> <p>7 MR. BUNIS: Where are you?</p> <p>8 Q. Well, it's in the same third paragraph.</p> <p>9 MR. BUNIS: No.</p> <p>10 MR. JOFFE: As a counter -- which one?</p> <p>11 MR. BUNIS: You're -- I think the</p> <p>12 version that you're reading from is different</p> <p>13 from the version that we have, 16.</p> <p>14 Q. Well, "As a consequence, the courts are</p> <p>15 influenced by their experts and not the right</p> <p>16 holder's" --</p> <p>17 MR. BUNIS: Where --</p> <p>18 Q. -- "opinion"; do you see that?</p> <p>19 MR. BUNIS: No. I don't even know</p> <p>20 where you are.</p> <p>21 MR. JOFFE: Do you see that?</p> <p>22 MR. BUNIS: No.</p> <p>23 Q. This paragraph, can you take a look at this</p> <p>24 one (indicating).</p>
<p style="text-align: right;">285</p> <p>1 A. That is correct.</p> <p>2 Q. And you are not familiar with the materials,</p> <p>3 process or distribution of H3C products,</p> <p>4 correct?</p> <p>5 A. Correct.</p> <p>6 Q. Okay. The report further says, "This practice</p> <p>7 excludes the trademark owner from making a</p> <p>8 determination about whether the goods are</p> <p>9 counterfeit."</p> <p>10 MR. BUNIS: Where are you?</p> <p>11 Q. Yeah. You see it (indicating)?</p> <p>12 It's the next -- third paragraph --</p> <p>13 well, the fourth paragraph from the top</p> <p>14 (indicating).</p> <p>15 MR. BUNIS: The second here (indicating).</p> <p>16 THE WITNESS: Yeah.</p> <p>17 Q. Yeah. "Indeed, the trademark owner has no</p> <p>18 standing to weigh in on the nature of the</p> <p>19 goods. As the consequence, the courts are</p> <p>20 influenced by their experts and not the right</p> <p>21 holder's opinion when deciding whether the</p> <p>22 goods are counterfeit. In a number of</p> <p>23 countries, the opinion of the expert differs</p> <p>24 from that of the right holder; this is</p>	<p style="text-align: right;">287</p> <p>1 MR. BUNIS: I see that, but -- yeah, I</p> <p>2 see that. Okay. "As a consequence"?</p> <p>3 MR. JOFFE: Michael, are you just</p> <p>4 running the clock or -- sorry.</p> <p>5 MR. BUNIS: Trust me, Dimitry, no one</p> <p>6 wants this deposition to end more than me --</p> <p>7 MR. JOFFE: Yeah. I --</p> <p>8 MR. BUNIS: -- with the exception of</p> <p>9 Mr. Raina.</p> <p>10 MR. JOFFE: I believe that, trust me.</p> <p>11 Q. So I just read the statement and -- and the</p> <p>12 part, where you interrupted me, I read that</p> <p>13 "this is particularly dangerous in the case</p> <p>14 where the expert argues that the goods are not</p> <p>15 counterfeit, when, in fact, they are."</p> <p>16 And the last paragraph on this page,</p> <p>17 "Clearly, such a practice results in the</p> <p>18 aggravation of the right holder's in civil and</p> <p>19 criminal proceedings; and as a consequence can</p> <p>20 lead to a mistaken court ruling that the goods</p> <p>21 are not counterfeit and consequently, that</p> <p>22 there is no trademark infringement."</p> <p>23 Yeah. Mr. Raina, what's -- what is</p> <p>24 your opinion that the statements in this</p>

<p style="text-align: right;">288</p> <p>1 report --</p> <p>2 MR. BUNIS: Objection, vague.</p> <p>3 Q. -- that I just I read?</p> <p>4 MR. BUNIS: Objection, vague. If you</p> <p>5 can -- answer if you can.</p> <p>6 Q. Do you agree or disagree with those</p> <p>7 statements?</p> <p>8 MR. BUNIS: If you can tell.</p> <p>9 A. I disagree with these statements.</p> <p>10 Q. Okay.</p> <p>11 A. Specifically keeping in mind what I was asked</p> <p>12 to analyze, my opinion, there's -- I mean,</p> <p>13 this is an opinion. That's fine. There are</p> <p>14 always exceptions. And the exception in this</p> <p>15 case is that I've been asked to analyze a set</p> <p>16 of products, transceivers, that are sold by</p> <p>17 ODMs to numerous ODMs, Cisco being one of</p> <p>18 them, a company that I worked for. There are</p> <p>19 other clients that I worked with in the</p> <p>20 networking space that also procure</p> <p>21 transceivers from these ODMs.</p> <p>22 And all these ODMs procure the</p> <p>23 transceivers from the same ODM players. So</p> <p>24 it's common knowledge that companies like</p>	<p style="text-align: right;">290</p> <p>1 Q. -- correct?</p> <p>2 A. Yes.</p> <p>3 Q. And I showed you the H3C Verification Report</p> <p>4 that described the features of the H3C logos</p> <p>5 or labels that H3C claimed to be counterfeit.</p> <p>6 I've shown you English translation of the</p> <p>7 letter that we contend was sent by defendants</p> <p>8 to the Chinese police stating that H3C</p> <p>9 determined that the transceivers were</p> <p>10 counterfeit, based on the logos attached to</p> <p>11 the transceivers.</p> <p>12 So we have a situation where the</p> <p>13 trademark holder, which is H3C, is stating in</p> <p>14 criminal proceedings, no less, that the</p> <p>15 transceivers are counterfeit and that</p> <p>16 plaintiffs should be prosecuted for selling</p> <p>17 those transceivers. And you, as an expert,</p> <p>18 without looking at the labels or analyzing the</p> <p>19 labels, are claiming that the transceivers</p> <p>20 actually are authentic regardless of the</p> <p>21 holographic label attached to them, correct?</p> <p>22 MR. BUNIS: Objection, misstates his</p> <p>23 prior testimony.</p> <p>24 A. The 647 transceivers --</p>
<p style="text-align: right;">289</p> <p>1 Finisar, Agilent, Avago, JDSU, Methode --</p> <p>2 THE STENOGRAPHER: I'm sorry, the last</p> <p>3 one?</p> <p>4 A. Methode, M-e-t-h-o-d-e. -- all ODM vendors</p> <p>5 for these devices that are procured by various</p> <p>6 ODMs. So to me, these are generic devices and</p> <p>7 not necessarily devices that are unique to a</p> <p>8 certain OEM. And because of my experience in</p> <p>9 dealing with these devices at my role -- with</p> <p>10 my role at Cisco and others that I've</p> <p>11 supported, I feel I disagree with this; and I</p> <p>12 feel like that I can very accurately analyze</p> <p>13 these products based on the methodology that I</p> <p>14 laid out.</p> <p>15 Q. You read the Complaint in this case and you</p> <p>16 are familiar with the allegations in the</p> <p>17 Complaint, correct?</p> <p>18 A. Yes. I --</p> <p>19 Q. Yes?</p> <p>20 A. Yes.</p> <p>21 Q. So you know that H3C complained to the Chinese</p> <p>22 police that plaintiffs were selling</p> <p>23 counterfeit H3C transceivers --</p> <p>24 A. Correct.</p>	<p style="text-align: right;">291</p> <p>1 Q. Yeah-</p> <p>2 A. -- yes.</p> <p>3 Q. -- the 647, the majority of them.</p> <p>4 A. There have been -- but I did analyze and deem</p> <p>5 some products counterfeit, yes.</p> <p>6 Q. Okay. So -- okay. Let me show you one more</p> <p>7 exhibit. This is --</p> <p>8 THE STENOGRAPHER: Wait a minute.</p> <p>9 (PX Exhibit No. 17, H3C letter</p> <p>10 regarding barcode info on the website</p> <p>11 marked for identification)</p> <p>12 Q. And this is a two-page document. The first</p> <p>13 page bears Bates No. ICT 1985. The second one</p> <p>14 bears Bates No. ICT 2006. This is a copy of</p> <p>15 the letter in Chinese and its translation that</p> <p>16 was produced by plaintiff.</p> <p>17 And the translation says, "H3C letter</p> <p>18 regarding barcode info on the website"; do you</p> <p>19 see that --</p> <p>20 A. Yes, I see that.</p> <p>21 Q. -- there?</p> <p>22 A. Yup.</p> <p>23 Q. So it says, "Regarding your inquiry, our</p> <p>24 company checked barcode on the official</p>

<p style="text-align: right;">292</p> <p>1 website and obtained the interface content as</p> <p>2 follows: 'Hello, this barcode is the barcode</p> <p>3 of the equipment sold by Hangzhou H3C.'" And</p> <p>4 it goes on to say, "This reply merely informs</p> <p>5 a customer whether our company ever sold a</p> <p>6 product with this barcode, and doesn't</p> <p>7 indicate whether this product is authentic."</p> <p>8 MR. BUNIS: Is there a question?</p> <p>9 Q. Do you see that?</p> <p>10 A. Yes.</p> <p>11 Q. So this is a letter we contend that H3C</p> <p>12 submitted to the Chinese police. And it says</p> <p>13 that the -- if you check the barcode</p> <p>14 information, you can get information of the --</p> <p>15 the information in that barcode, correct?</p> <p>16 MR. BUNIS: Objection. You -- I'm</p> <p>17 going to object. That this is another</p> <p>18 document which is translated --</p> <p>19 MR. JOFFE: Correct.</p> <p>20 MR. BUNIS: -- which you're</p> <p>21 representing is a translation, and we have no</p> <p>22 way of verifying the translation.</p> <p>23 MR. JOFFE: You can use your own</p> <p>24 translator to verify.</p>	<p style="text-align: right;">294</p> <p>1 that's why I'm asking about this document.</p> <p>2 MR. BUNIS: But the reason why I'm</p> <p>3 objecting and the reason why this is so</p> <p>4 important is because you should have done that</p> <p>5 certified translation --</p> <p>6 MR. JOFFE: Okay. Can we --</p> <p>7 MR. BUNIS: Let me finish. This is</p> <p>8 critical for the record, because I want the</p> <p>9 Judge to be able to understand exactly what my</p> <p>10 objection is.</p> <p>11 This is another example of you putting</p> <p>12 a purported translation in front of the</p> <p>13 witness, not certified, in an attempt to</p> <p>14 confuse the witness as to his testimony to</p> <p>15 agree or disagree with some statements in this</p> <p>16 which are of completely uncertain origin. And</p> <p>17 if you were to do it correctly, you would have</p> <p>18 obtained a certified translation. You had</p> <p>19 plenty of time to do that.</p> <p>20 MR. JOFFE: Thank you.</p> <p>21 MR. SASO: And, Dimitry, I'm sorry, and</p> <p>22 I don't mean to pile on here; but on the top</p> <p>23 of the translation, it is an inadmissible</p> <p>24 document because it is not authenticated. We</p>
<p style="text-align: right;">293</p> <p>1 MR. BUNIS: Can I finish?</p> <p>2 MR. JOFFE: No. You're making a</p> <p>3 speaking objection again. I'm asking the</p> <p>4 question about the translation.</p> <p>5 MR. BUNIS: Yeah. What you purport to</p> <p>6 be the translation.</p> <p>7 MR. JOFFE: Yeah.</p> <p>8 MR. BUNIS: This is another example of</p> <p>9 what you're attempting to do, is to confuse</p> <p>10 the witness by putting a document in front of</p> <p>11 him that's written in another language and</p> <p>12 purporting to show him a translation of that</p> <p>13 and asking him to agree or disagree with</p> <p>14 something which he has no way to validate.</p> <p>15 MR. JOFFE: How else would I put a</p> <p>16 foreign language document before the witness?</p> <p>17 MR. BUNIS: I suspect you would</p> <p>18 probably get one that's a certified</p> <p>19 transition.</p> <p>20 MR. JOFFE: I will.</p> <p>21 MR. BUNIS: In fact, that's the way I</p> <p>22 would do it.</p> <p>23 MR. JOFFE: This is a document that we</p> <p>24 produced as it existed in our files, and</p>	<p style="text-align: right;">295</p> <p>1 have no idea what this document is or</p> <p>2 represents. And I understand that you're</p> <p>3 representing it as something, but we don't</p> <p>4 have the author of this document who's capable</p> <p>5 of saying what it is or the purpose or who</p> <p>6 drafted it for what purpose, where it was</p> <p>7 sent.</p> <p>8 So, you know, any question based on</p> <p>9 this document or any of the other inadmissible</p> <p>10 hearsay is objectionable during the entire</p> <p>11 deposition, but go ahead.</p> <p>12 Q. So the document says that the fact that</p> <p>13 barcode information is authentic doesn't mean</p> <p>14 that the product itself is authentic.</p> <p>15 MR. BUNIS: Objection.</p> <p>16 MR. JOFFE: No.</p> <p>17 Q. Can you explain what this is?</p> <p>18 MR. BUNIS: Objection. If you can and</p> <p>19 I don't --</p> <p>20 A. I really can't. I don't have the background</p> <p>21 on this. I just don't understand who's making</p> <p>22 this request, what barcode they're talking</p> <p>23 about, what product are they talking about,</p> <p>24 how was this request sent. I -- there's --</p>

<p style="text-align: right;">296</p> <p>1 it's just very vague in how it's described.</p> <p>2 It doesn't lay out the facts.</p> <p>3 MR. JOFFE: Okay. One more document to</p> <p>4 mark, please.</p> <p>5 (PX Exhibit No. 18, Interrogation Board</p> <p>6 marked for identification)</p> <p>7 MR. JOFFE: And just to your -- you can</p> <p>8 make the same objection and please do.</p> <p>9 Q. The document I showed the witness is an</p> <p>10 English language document produced on Bates</p> <p>11 Nos. ICT 1970 through ICT 1972. And the</p> <p>12 Chinese language document produced is Bates</p> <p>13 No. ICT 1967, ICT 1969.</p> <p>14 MR. SASO: So, Dimitry, you asked --</p> <p>15 you said please do assert those objections.</p> <p>16 MR. JOFFE: Yeah.</p> <p>17 MR. SASO: So I will do that.</p> <p>18 MR. JOFFE: Okay. I understand you</p> <p>19 will.</p> <p>20 MR. SASO: We're objecting to this</p> <p>21 translation, and we're objecting to this as</p> <p>22 inadmissible hearsay. It's an unauthenticated</p> <p>23 document and so far an inauthenticable</p> <p>24 document.</p>	<p style="text-align: right;">298</p> <p>1 not the same as H3C's, the position pasted is</p> <p>2 not the same, and the outside of some</p> <p>3 transceivers is different from original H3C's</p> <p>4 unit; do you see that?</p> <p>5 A. Yes.</p> <p>6 Q. And then the question is: "Do you identify</p> <p>7 counterfeit product only from outside?" And</p> <p>8 the response is: "We identify counterfeited</p> <p>9 products first from -- well, "first of all,</p> <p>10 from the outside that includes package and</p> <p>11 label. And, if there is anything unusual</p> <p>12 found outside, we can also inspect the</p> <p>13 transceiver's label through testing. (In</p> <p>14 short, is the power-on to test) as an</p> <p>15 additional weight. But if the interior</p> <p>16 inspection didn't pass the test, there is no</p> <p>17 need to do the power-on test"; do you see</p> <p>18 that?</p> <p>19 A. Yes.</p> <p>20 Q. You disagree with that statement, correct?</p> <p>21 MR. BUNIS: Objection. I didn't think</p> <p>22 -- I'm going to reiterate it. I don't think</p> <p>23 we know whether or not --</p> <p>24 Q. You --</p>
<p style="text-align: right;">297</p> <p>1 MR. BUNIS: Yeah. And beyond that, I</p> <p>2 mean, I'm going to just restate the point that</p> <p>3 I made before, that you're asking the witness</p> <p>4 in what I believe is a deliberate attempt to</p> <p>5 confuse the witness about testimony in a</p> <p>6 not-certified translation of a Chinese</p> <p>7 document.</p> <p>8 Q. Have you had a chance to read it, Mr. Raina?</p> <p>9 A. No. I'm still reading it.</p> <p>10 Q. Okay. Please let me know when you're done.</p> <p>11 A. Okay.</p> <p>12 Q. Thank you.</p> <p>13 So I want to ask you if you disagree</p> <p>14 with the statements made in this -- what's</p> <p>15 called "Interrogation Record" by a person</p> <p>16 called Wang You where he says, on page 2, in</p> <p>17 particular, that you can determine whether</p> <p>18 the --</p> <p>19 MR. BUNIS: Where are you reading?</p> <p>20 MR. JOFFE: On page 2, in the largest</p> <p>21 paragraph in the middle of it.</p> <p>22 Q. It says that they carry -- the packaged</p> <p>23 transceivers carry H3C's registered label, the</p> <p>24 security label on the seized transceivers is</p>	<p style="text-align: right;">299</p> <p>1 MR. BUNIS: -- he can tell what that</p> <p>2 statement it.</p> <p>3 MR. JOFFE: Well, the statement there</p> <p>4 is: If the security label on the transceiver</p> <p>5 is found to be counterfeit, there is no need</p> <p>6 to do additional testing.</p> <p>7 MR. BUNIS: What --</p> <p>8 MR. JOFFE: And I'm asking the witness</p> <p>9 -- if Mr. Raina agrees with that statement?</p> <p>10 MR. BUNIS: What transceiver are you</p> <p>11 referring to?</p> <p>12 Q. Mr. Raina --</p> <p>13 A. Yes.</p> <p>14 Q. -- if the labels, security labels attached to</p> <p>15 the transceivers are found to be counterfeit,</p> <p>16 your position is it doesn't mean that the</p> <p>17 transceiver itself is counterfeit, correct?</p> <p>18 MR. BUNIS: Objection.</p> <p>19 A. My testing methodology relies on analysis of</p> <p>20 the product to determine if the product is</p> <p>21 counterfeit or genuine.</p> <p>22 Q. So you agree that finding of a security</p> <p>23 counterfeit label on the transceiver doesn't</p> <p>24 mean that the transceiver is counterfeit?</p>

<p style="text-align: right;">300</p> <p>1 MR. BUNIS: Objection, vague. You can</p> <p>2 answer it if you understand.</p> <p>3 A. It doesn't mean that the product is</p> <p>4 counterfeit. The product needs to be analyzed</p> <p>5 holistically for you to conclusively determine</p> <p>6 if the product is, indeed, counterfeit or</p> <p>7 genuine.</p> <p>8 Q. And on the next page, it says that the</p> <p>9 electronic info can be written or revised</p> <p>10 through a program and that program will leave</p> <p>11 no trace, which means that the transceivers</p> <p>12 can pass the power-on test but that cannot be</p> <p>13 proved positively if they're a genuine, an</p> <p>14 original H3C product; do you see that?</p> <p>15 A. Yes.</p> <p>16 Q. And you agree in your report that the EEPROM</p> <p>17 data could be rewritten or counterfeit,</p> <p>18 correct?</p> <p>19 A. They can be -- it can be erased and</p> <p>20 overwritten.</p> <p>21 Q. And the last thing, I want you to take a look</p> <p>22 at Exhibit -- well, it's Exhibit 3 to Mr. --</p> <p>23 Exhibit 4 to Dr. Fang's expert report. You</p> <p>24 have it in front of you.</p>	<p style="text-align: right;">302</p> <p>1 A. Yes.</p> <p>2 Q. Yeah. And, "In view of the above two points,</p> <p>3 the power-on detection cannot be used as a</p> <p>4 condition for judging that the product is</p> <p>5 genuine. Therefore, power-on detection is</p> <p>6 actually, meaningless."</p> <p>7 A. I just want to clarify --</p> <p>8 Q. Yeah.</p> <p>9 A. -- power-on detection here necessarily does</p> <p>10 not mean what I did when I read the EEPROM.</p> <p>11 So the power-on detection in the industry --</p> <p>12 and it is used very vaguely -- in the industry</p> <p>13 is when you have a net -- networking router or</p> <p>14 a switch and you have a transceiver that is</p> <p>15 plugged into it, when the system is powered</p> <p>16 on, there's a -- there's a handshake between</p> <p>17 the software that is running on the router or</p> <p>18 switch and the product itself; and that</p> <p>19 handshake can be different for different OEMs.</p> <p>20 It's dependent on the software. But it is not</p> <p>21 the same test that I did, which is reading the</p> <p>22 content of the EEPROM.</p> <p>23 So the power-on test, for example,</p> <p>24 could be the software comes up and in the part</p>
<p style="text-align: right;">301</p> <p>1 MR. BUNIS: It's Exhibit 13 -- 4 you</p> <p>2 said?</p> <p>3 MR. JOFFE: Exhibit 4, yes. It's H3C</p> <p>4 Verification Report.</p> <p>5 Q. Would you take a look at the English</p> <p>6 translation, the third page in sequence. You</p> <p>7 see at the bottom there is a paragraph with</p> <p>8 the No. 2?</p> <p>9 A. Yes.</p> <p>10 Q. And it says, among other things, "that the</p> <p>11 product feature field in the memory of the</p> <p>12 transceiver may be rewritten by the</p> <p>13 counterfeiter or a similar hacker. And the</p> <p>14 characteristics of the software determine that</p> <p>15 this rewriting will not leave traces, unlike</p> <p>16 the label fraud, there are always subtle</p> <p>17 differences."</p> <p>18 "In view of the above two points, the</p> <p>19 power-on detection cannot be used as a</p> <p>20 condition for judging that the product is</p> <p>21 genuine."</p> <p>22 A. Where do you read that?</p> <p>23 Q. In the same paragraph, which starts with</p> <p>24 No. 2, towards the bottom.</p>	<p style="text-align: right;">303</p> <p>1 number reads a dash H3C and says, okay, this</p> <p>2 is a valid H3C device. So I just want to make</p> <p>3 sure this power-on test is not confused with</p> <p>4 the EEPROM reading that I did.</p> <p>5 Q. Yes. But in your report, in Paragraph 35,</p> <p>6 with respect to EEPROM or EEPROM programming</p> <p>7 you do say that "Counterfeiters use widely</p> <p>8 available tools to program information into</p> <p>9 the EEPROM, including that identification</p> <p>10 information referenced above (serial numbers,</p> <p>11 part numbers, and the like). Counterfeiters</p> <p>12 do this in an attempt to 'fool' and mislead</p> <p>13 purchasers by populating the EEPROM data that</p> <p>14 has the appearance of legitimacy."</p> <p>15 Right. So whether this reference to</p> <p>16 power-on test is unclear, the substance of</p> <p>17 what's in the H3C Verification Report and in</p> <p>18 your report on counterfeiting is where the</p> <p>19 EEPROM data is the same, correct?</p> <p>20 MR. BUNIS: Objection, misstates his</p> <p>21 prior testimony. You can answer.</p> <p>22 A. Can you repeat the question again?</p> <p>23 Q. Yeah. You said in your report that EEPROM can</p> <p>24 be reprogrammed by counterfeiters to basically</p>

<p style="text-align: right;">304</p> <p>1 fake the serial numbers, part numbers, and</p> <p>2 similar identification information, correct?</p> <p>3 A. Correct.</p> <p>4 Q. And the H3C Verification Report says, Instead</p> <p>5 of using the term EEPROM, they use the term</p> <p>6 power-on, at least the translation does; it</p> <p>7 says the same thing, that the software can be</p> <p>8 rewritten to fake the information in it?</p> <p>9 MR. BUNIS: Objection, misstates his</p> <p>10 prior testimony.</p> <p>11 A. So as I've said previously, my testing</p> <p>12 methodology looks at multiple data points; and</p> <p>13 this is just one of them. So besides that</p> <p>14 data point, I also have an additional data</p> <p>15 point where, for example, the 2D barcode</p> <p>16 doesn't match the alphanumeric string. So I'm</p> <p>17 looking at everything in totality and then</p> <p>18 making a conclusion whether the product is</p> <p>19 genuine or counterfeit.</p> <p>20 And in my experience, as I've stated</p> <p>21 before, the counterfeiters will not be able to</p> <p>22 replicate these managers consistently, which</p> <p>23 is the redundancy in the serial number and the</p> <p>24 -- and the -- on the label and the 1D barcode</p>	<p style="text-align: right;">306</p> <p>1 serial number on the product label matches the</p> <p>2 serial number in the EEPROM, is that for you</p> <p>3 an indication of authenticity?</p> <p>4 A. For me --</p> <p>5 Q. Yeah.</p> <p>6 A. -- that is one of the criterias --</p> <p>7 Q. Yes.</p> <p>8 A. -- that I use in order to determine if a</p> <p>9 product is genuine or counterfeit.</p> <p>10 Q. But it's not sufficient in itself to show that</p> <p>11 the product is authentic?</p> <p>12 A. If you can say that again, I'm sorry.</p> <p>13 Q. The fact power label -- serial number on the</p> <p>14 label matches the EEPROM serial number, is it</p> <p>15 sufficient to show power document is authentic</p> <p>16 -- the product is authentic?</p> <p>17 A. It does not raise an anomaly in that case.</p> <p>18 Q. Okay. There was some transceivers that were</p> <p>19 deemed genuine in your appendix that didn't</p> <p>20 have 2D barcodes, correct?</p> <p>21 A. Correct.</p> <p>22 Q. Correct. So for those transceivers that</p> <p>23 didn't have 2D barcodes, your -- you found</p> <p>24 power serial number on the label matched the</p>
<p style="text-align: right;">305</p> <p>1 and the EEPROM. That is further proven by the</p> <p>2 fact that for the transceivers that we</p> <p>3 determine to be counterfeit, it -- the fact</p> <p>4 that it could write into the EEPROM does not</p> <p>5 necessarily mean that they wrote the same</p> <p>6 value into the EEPROM that was on the label.</p> <p>7 So for -- under Point No. 71 -- or</p> <p>8 Point No. 70, the serial number on the product</p> <p>9 label did not match the serial number recorded</p> <p>10 in the EEPROM. So the mere fact that you can</p> <p>11 write into the EEPROM does not necessarily</p> <p>12 mean power counterfeiters will write the value</p> <p>13 that is redundant to the serial number that is</p> <p>14 showcased or printed on the label. And those</p> <p>15 are the anomalies that I'm looking for in --</p> <p>16 in my analysis of the products.</p> <p>17 Q. I understand. And the question is: You refer</p> <p>18 to paragraph 70 where it says "the serial</p> <p>19 number on the product label did not match the</p> <p>20 serial number recorded in the EEPROM," and</p> <p>21 that is an indicator of counterfeiting that is</p> <p>22 sufficient to determine power product is</p> <p>23 counterfeit. But my question is different.</p> <p>24 My question is: The fact that the</p>	<p style="text-align: right;">307</p> <p>1 serial number on the 1D barcode and matched</p> <p>2 the EEPROM serial number --</p> <p>3 A. That is correct.</p> <p>4 Q. -- correct?</p> <p>5 A. Correct.</p> <p>6 Q. And those redundancy with the serial number</p> <p>7 led you to conclude that the transceiver is</p> <p>8 authentic, correct?</p> <p>9 A. And also the fact that -- the third point in</p> <p>10 -- under 52, Paragraph No. 52, "the serial</p> <p>11 number printed on the label did not match the</p> <p>12 serial number printed on the label of any</p> <p>13 other unit of seized equipment."</p> <p>14 Q. Right. You've concluded that because there is</p> <p>15 no duplicate in the 647, that's a unique</p> <p>16 number, correct?</p> <p>17 A. I'm sorry. If you can just give me a few</p> <p>18 seconds.</p> <p>19 Q. Yeah.</p> <p>20 A. Yes. I'm sorry. Can you go ahead and -- and</p> <p>21 repeat that question?</p> <p>22 Q. Yes. So you determined that there are among</p> <p>23 647 transceivers that you deemed authentic;</p> <p>24 there are 313, I believe, of them with</p>

<p style="text-align: right;">308</p> <p>1 2D barcode?</p> <p>2 A. I believe that's the number.</p> <p>3 Q. Yeah. So the rest of them would be -- the</p> <p>4 majority of them would not have the 2D barcode</p> <p>5 on them, correct?</p> <p>6 A. Correct.</p> <p>7 Q. Okay. So for those transceivers that didn't</p> <p>8 have the 2D barcode on them, your conclusion</p> <p>9 that those transceivers are authentic were</p> <p>10 based on they're meeting three criteria in</p> <p>11 your Paragraph 52, correct?</p> <p>12 MR. BUNIS: Objection, asked --</p> <p>13 Q. That's all I want to know.</p> <p>14 MR. BUNIS: -- answered. We've been</p> <p>15 over this.</p> <p>16 Q. Yeah.</p> <p>17 A. That is correct.</p> <p>18 Q. Yeah. For those transceivers, the serial</p> <p>19 number on the label matched the serial number</p> <p>20 on the 1D barcode?</p> <p>21 A. Correct.</p> <p>22 Q. And it matched the serial number on the</p> <p>23 EEPROM, and it was not repeated in the rest of</p> <p>24 647 transceivers, correct?</p>	<p style="text-align: right;">310</p> <p>1 Q. Yeah.</p> <p>2 A. -- 647.</p> <p>3 Q. 647 is the majority of the object transceivers,</p> <p>4 right?</p> <p>5 A. Yes.</p> <p>6 Q. And in your expert opinion, the majority of</p> <p>7 the seized transceivers are authentic H3C</p> <p>8 transceivers --</p> <p>9 A. Correct.</p> <p>10 Q. -- correct?</p> <p>11 And you want the Court to accept your</p> <p>12 opinion over H3C's statements?</p> <p>13 MR. SASO: Objection.</p> <p>14 MR. BUNIS: Objection. That's</p> <p>15 completely inaccurate. Go ahead.</p> <p>16 A. It's my own independent analysis --</p> <p>17 Q. Right.</p> <p>18 A. -- based on my years of experience and my</p> <p>19 testing methodology in place and carried that</p> <p>20 testing methodology out, and the results are</p> <p>21 in front of you in this -- in this report.</p> <p>22 MR. JOFFE: All right. Well, thank you</p> <p>23 for sitting through this and explaining your</p> <p>24 conclusions and findings.</p>
<p style="text-align: right;">309</p> <p>1 A. None of the serial number was repeated within</p> <p>2 that batch of 647.</p> <p>3 Q. Right. So as long as those three criteria</p> <p>4 were met, you determined that they were</p> <p>5 authentic?</p> <p>6 A. Correct.</p> <p>7 MR. JOFFE: Just give me maybe -- we'll</p> <p>8 go off the record for a couple of minutes, and</p> <p>9 then -- we're almost done.</p> <p>10 (Recess)</p> <p>11 Q. Okay. My final questions: Plaintiffs allege</p> <p>12 that H3C claimed in China that the majority of</p> <p>13 the seized transceivers were counterfeit. And</p> <p>14 you, in your expert opinion, are saying power</p> <p>15 majority of the transceivers are authentic,</p> <p>16 correct?</p> <p>17 A. Yeah. I just want to be accurate. So I'll</p> <p>18 read off my report as to what my summary was,</p> <p>19 if that's okay? Where's my --</p> <p>20 Q. Well, I don't want you to read off the report.</p> <p>21 I just want to say that you've analyzed</p> <p>22 781 transceivers, correct? You found 647 of</p> <p>23 them to be genuine?</p> <p>24 A. Of the 781 units --</p>	<p style="text-align: right;">311</p> <p>1 THE WITNESS: Thank you.</p> <p>2 MR. JOFFE: Okay.</p> <p>3 MR. BUNIS: I just have a couple of</p> <p>4 questions.</p> <p>5 MR. JOFFE: Sure.</p> <p>6</p> <p>7 EXAMINATION BY MR. BUNIS:</p> <p>8 Q. So, Mr. Raina, you recall that you gave some</p> <p>9 testimony before about requesting information</p> <p>10 about H3C holographic labels?</p> <p>11 A. Yes.</p> <p>12 Q. And can you describe what information you were</p> <p>13 seeking?</p> <p>14 A. So, again, I was seeking information on the</p> <p>15 H3C holographic labels as it related to the</p> <p>16 products that they were applied on for the</p> <p>17 products in question and the time frame that</p> <p>18 they were applied on, so any information on</p> <p>19 the holographic labels during that time</p> <p>20 period.</p> <p>21 Q. You didn't receive that information, correct?</p> <p>22 A. No. I did not receive that information.</p> <p>23 Q. Okay. Had you received the information, would</p> <p>24 it have changed your testing methodology</p>

312

1 that's described in your report?
2 A. No.
3 MR. BUNIS: Okay. No further questions.
4 MR. JOFFE: Thank you.
5 (Whereupon, the deposition was
6 concluded at 6:16 p.m.)
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

313

CERTIFICATE

1
2
3 Commonwealth of Massachusetts
4 Norfolk, ss.
5

6 I, Marie C. Leonard, Registered
7 Professional Reporter, Certified Shorthand
8 Reporter, and a Notary Public in and for the
9 Commonwealth of Massachusetts, do hereby
10 certify:

11 That SHELLEY RAINA, the witness whose
12 deposition is hereinbefore set forth, was duly
13 sworn by me and that such deposition is a true
14 record of the testimony given by the said
15 witness.

16 IN WITNESS WHEREOF, I have hereunto set
17 my hand and notarial seal this 11th day of
18 February, 2020.
19
20
21

Marie C. Leonard
RPR, CSR No. 146799

22
23 My commission expires
24 on June 17, 2022

	216:22 129 [1] - 4:3 13 [5] - 4:6, 105:15, 222:1, 227:13, 301:1 136 [1] - 139:3 14 [8] - 3:11, 4:7, 64:1, 227:13, 231:19, 231:22, 231:23, 255:2 146799 [2] - 1:19, 313:22 15 [6] - 3:12, 4:8, 7:13, 90:2, 90:15, 261:14 150 [1] - 139:21 1562 [1] - 210:18 1564 [3] - 215:21, 215:23, 217:13 1565 [1] - 210:18 16 [9] - 4:9, 104:13, 104:18, 105:7, 105:16, 174:23, 231:23, 280:1, 286:13 16-cv-10386LTS [1] - 1:5 17 [6] - 4:11, 57:8, 59:2, 59:3, 291:9, 313:24 18 [3] - 4:13, 98:22, 296:5 19 [5] - 164:17, 164:22, 190:18, 197:24, 234:8 1967 [1] - 296:13 1969 [1] - 296:13 1970 [1] - 296:11 1972 [1] - 296:11 1985 [1] - 291:13 1995 [2] - 26:4, 29:21 1D [35] - 49:21, 91:12, 99:3, 103:9, 120:23, 147:2, 148:11, 148:12, 150:19, 152:17, 155:19, 155:24, 156:22, 170:13, 174:16, 178:13, 178:23, 179:13, 185:1, 191:14, 195:11, 197:15, 198:1, 200:20, 205:9, 245:2, 245:5, 264:1, 264:8, 264:24, 265:4, 304:24, 307:1, 308:20	228:9, 262:16, 262:18, 263:2, 280:10, 280:11, 297:16, 297:20, 301:8, 301:24 20 [7] - 36:1, 61:22, 62:3, 76:5, 144:5, 166:11, 271:15 20-plus [2] - 38:6, 171:10 2005 [4] - 26:10, 27:7, 33:8, 39:6 2006 [1] - 291:14 2009 [1] - 272:15 200x [1] - 247:17 2010 [3] - 140:14, 218:1, 272:15 2011 [2] - 27:20, 218:1 2012 [1] - 27:21 2013 [1] - 27:22 2016 [2] - 281:5, 281:12 2017 [17] - 14:9, 14:10, 21:24, 22:1, 43:19, 57:8, 57:20, 58:22, 59:2, 59:3, 59:7, 61:22, 62:3, 62:9, 62:18, 63:11, 73:13 2018 [12] - 22:5, 22:11, 43:22, 43:24, 54:5, 54:10, 54:15, 55:10, 55:19, 59:17, 59:18, 62:19 2019 [8] - 14:13, 64:1, 132:21, 133:2, 234:7, 237:3, 240:3, 269:23 2020 [3] - 1:21, 7:13, 313:18 2022 [1] - 313:24 210 [1] - 4:5 212.554.9686 [1] - 2:15 212.613.2171 [1] - 2:14 212.808.3020 [1] - 2:5 22 [1] - 104:8 222 [1] - 4:6 23 [3] - 143:18, 145:22, 147:6 25 [9] - 7:20, 8:8, 136:13, 136:15, 136:20, 137:3, 137:10, 137:14, 211:18 25-page [1] - 211:17 255 [1] - 4:7 26 [4] - 136:20, 137:12, 169:4, 171:23 261 [1] - 4:8 27 [5] - 139:19, 142:3, 142:14, 143:20,	151:12 27.6 [1] - 247:16 28 [14] - 101:21, 104:17, 105:6, 136:9, 139:18, 141:10, 141:24, 143:19, 144:12, 151:20, 158:14, 171:23, 174:23, 199:23 280 [3] - 4:9, 31:22, 32:1 2807 [2] - 225:5, 238:4 2817 [2] - 225:5, 238:4 291 [1] - 4:11 296 [1] - 4:13 2C [1] - 2:3 2D [75] - 49:21, 91:12, 99:9, 103:14, 103:15, 121:2, 121:3, 143:19, 143:23, 145:23, 146:3, 146:13, 147:1, 147:3, 147:7, 147:17, 148:16, 148:18, 149:1, 149:9, 149:12, 149:20, 150:23, 151:14, 151:15, 151:22, 152:1, 152:6, 152:9, 152:23, 153:15, 154:3, 170:16, 170:18, 176:1, 176:22, 177:1, 178:13, 179:14, 183:3, 183:9, 183:10, 183:18, 192:23, 193:2, 193:12, 194:3, 194:17, 194:20, 194:21, 195:3, 195:4, 195:7, 195:10, 197:21, 198:1, 200:23, 200:24, 201:8, 203:21, 205:10, 245:6, 245:7, 304:15, 306:20, 306:23, 308:1, 308:4, 308:8	280:12, 300:22 3,000 [2] - 168:1, 168:4 3,370 [1] - 100:15 30 [1] - 109:20 300 [1] - 195:6 31 [2] - 132:21, 133:2 311 [1] - 3:5 313 [1] - 307:24 33 [1] - 177:17 35 [4] - 172:18, 172:19, 175:6, 303:5 37th [1] - 2:13 3D [1] - 248:7
				4
				4 [18] - 3:15, 4:6, 18:9, 46:4, 46:6, 136:5, 218:12, 218:16, 218:23, 219:10, 219:11, 222:1, 234:13, 234:17, 237:6, 300:23, 301:1, 301:3 4/22/13 [2] - 4:5, 210:16 40 [1] - 26:18 42 [1] - 90:3 43 [2] - 90:17, 90:19 46 [1] - 3:15
				5
				5 [15] - 1:21, 3:4, 3:16, 15:24, 16:1, 16:2, 16:15, 16:16, 21:5, 21:10, 33:20, 56:4, 56:7, 270:24, 274:7 50 [3] - 138:17, 142:6, 142:21 52 [16] - 98:20, 153:18, 154:15, 184:21, 184:22, 196:7, 206:2, 206:11, 207:1, 207:13, 210:9, 251:17, 254:16, 307:10, 308:11 53 [4] - 90:11, 90:14, 90:16 56 [1] - 3:16 58 [3] - 106:5, 106:11, 111:18
			3	
			3 [21] - 3:12, 3:23, 14:14, 15:11, 115:19, 115:20, 116:1, 117:2, 125:6, 186:2, 186:13, 186:19, 187:24, 215:20, 230:3, 242:6, 242:15, 270:8, 280:10,	
				6
				6 [2] - 3:18, 61:15 61 [1] - 3:18 617.248.4000 [1] - 2:10

617.249.5000 [1] - 2:9 63 [1] - 3:19 643 [1] - 111:24 647 [49] - 98:1, 100:14, 104:1, 127:21, 136:12, 136:14, 136:20, 137:2, 137:10, 137:13, 160:5, 160:13, 160:18, 160:24, 161:1, 161:5, 161:12, 161:24, 162:3, 162:7, 163:9, 166:21, 167:24, 169:18, 170:10, 176:14, 187:18, 187:19, 187:21, 187:23, 188:23, 189:13, 190:1, 200:2, 252:16, 265:19, 267:8, 268:1, 268:9, 290:24, 291:3, 307:15, 307:23, 308:24, 309:2, 309:22, 310:2, 310:3 650 [1] - 31:22 657 [1] - 140:13 67 [6] - 97:23, 99:24, 100:9, 160:7, 265:17, 267:6 6:16 [1] - 312:6	80 [5] - 138:21, 138:23, 139:22, 142:6, 142:21 81 [1] - 246:19 9 9 [2] - 3:22, 107:4 90 [1] - 213:1 917.929.1964 [1] - 2:4 925.413.5766 [1] - 22:22 9:20 [1] - 1:21 9X [1] - 109:12 A a.m [1] - 1:21 A0 [4] - 108:2, 108:4, 108:6, 108:14 A0151060 [1] - 107:21 ability [4] - 49:19, 49:21, 176:12, 274:1 able [15] - 20:16, 50:21, 172:8, 172:15, 193:24, 194:14, 194:15, 195:18, 199:14, 203:9, 275:6, 275:19, 276:7, 294:9, 304:21 abnormal [8] - 228:11, 229:17, 230:6, 230:17, 232:11, 233:19, 234:23, 235:17 absolutely [8] - 139:24, 192:14, 197:2, 198:24, 219:22, 221:13, 221:20, 240:13 accept [1] - 310:11 accepted [1] - 28:4 access [7] - 165:10, 167:1, 174:5, 174:12, 175:2, 189:16, 193:2 accomplished [1] - 139:9 according [6] - 43:18, 64:16, 92:16, 142:4, 200:17, 225:12 account [5] - 120:18, 127:23, 156:15, 188:5, 240:17 accuracy [1] - 215:10 accurate [14] - 13:23, 20:17, 34:14, 81:23, 82:1, 131:12, 143:11, 152:17, 158:22, 164:15, 166:9, 166:17,	167:15, 309:17 accurately [2] - 8:13, 289:12 achieve [1] - 145:12 acronym [1] - 114:14 action [1] - 21:8 Actions [4] - 4:10, 280:2, 280:15, 282:23 actual [2] - 150:9, 243:2 added [1] - 19:4 adding [1] - 141:2 addition [1] - 70:18 additional [9] - 49:22, 51:8, 164:5, 164:18, 212:4, 273:7, 298:15, 299:6, 304:14 address [5] - 57:12, 57:14, 57:24, 58:1, 231:13 addresses [1] - 68:1 adds [2] - 143:21, 149:7 adhering [1] - 177:9 admitted [1] - 113:8 affiliate [1] - 81:11 affiliated [3] - 64:23, 284:15, 284:23 affiliates [3] - 62:14, 68:23, 79:13 affix [1] - 258:16 affixed [2] - 217:22, 236:15 afford [1] - 179:12 AFTERNOON [1] - 125:1 agencies [3] - 31:10, 258:22, 258:23 aggravation [1] - 287:18 Agilent [1] - 289:1 ago [2] - 256:14 agree [21] - 35:15, 81:8, 82:21, 93:20, 109:19, 110:2, 110:13, 113:5, 122:13, 126:6, 126:14, 195:10, 263:14, 263:16, 275:4, 277:9, 288:6, 293:13, 294:15, 299:22, 300:16 agreed [6] - 20:2, 20:4, 20:10, 82:14, 184:23, 266:23 agrees [1] - 299:9 ahead [14] - 10:22, 13:1, 78:16, 82:7, 96:13, 110:20, 117:12, 176:21, 198:20, 223:19,	276:10, 295:11, 307:20, 310:15 ALEXANDER [1] - 1:6 Alexander [1] - 2:19 Alisa [1] - 56:23 allegations [1] - 289:16 allege [1] - 309:11 allow [5] - 51:23, 173:23, 252:10, 260:13, 260:15 allowed [1] - 131:14 almost [3] - 68:22, 271:15, 309:9 alone [4] - 104:21, 156:12, 158:20, 159:18 alphanumeric [30] - 99:10, 103:16, 111:21, 121:5, 146:3, 146:8, 146:9, 146:12, 147:7, 147:8, 147:16, 147:19, 148:3, 148:19, 148:21, 149:14, 150:2, 150:21, 152:8, 153:5, 170:18, 176:2, 176:23, 183:19, 192:24, 194:24, 195:5, 198:10, 205:12, 304:16 alphanumerical [2] - 194:2, 194:11 alphanumerically [2] - 148:6, 245:5 altogether [1] - 113:1 Amended [4] - 3:13, 15:12, 15:17, 212:24 Amsterdam [1] - 2:3 analysis [55] - 11:16, 31:8, 31:13, 92:2, 92:14, 92:16, 92:22, 93:1, 94:4, 94:13, 95:7, 95:20, 95:21, 96:1, 96:8, 96:16, 97:3, 97:4, 97:8, 97:11, 97:18, 98:14, 103:10, 112:13, 120:20, 127:21, 137:16, 142:20, 158:20, 166:24, 195:2, 205:6, 205:13, 206:8, 208:15, 233:1, 240:17, 241:6, 241:14, 245:18, 246:1, 251:8, 252:17, 260:1, 263:22, 271:16, 276:13, 276:14, 276:20, 276:23, 277:18, 278:7,	299:19, 305:16, 310:16 Analytics [9] - 28:8, 28:16, 28:23, 29:17, 32:9, 39:7, 73:16, 73:24, 74:8 analyze [35] - 11:5, 15:7, 89:13, 95:4, 103:5, 153:9, 169:24, 170:5, 180:14, 189:21, 204:24, 205:21, 206:9, 208:21, 208:22, 217:23, 232:24, 244:10, 245:17, 245:24, 246:18, 249:6, 252:9, 253:11, 259:23, 270:17, 274:2, 274:18, 275:8, 278:5, 280:7, 288:12, 288:15, 289:12, 291:4 analyzed [14] - 11:15, 31:9, 104:13, 106:22, 111:22, 170:8, 171:1, 171:10, 187:5, 188:3, 206:12, 276:23, 300:4, 309:21 analyzes [1] - 227:2 analyzing [12] - 89:16, 91:22, 95:19, 156:20, 176:10, 181:5, 188:18, 199:6, 204:15, 244:24, 260:2, 290:18 and/for [1] - 16:22 angle [1] - 247:16 anomalies [10] - 100:22, 120:20, 127:24, 149:7, 150:14, 181:13, 181:17, 197:5, 205:9, 305:15 anomalous [3] - 171:18, 176:11, 176:16 anomaly [7] - 120:24, 127:23, 144:1, 149:4, 200:1, 306:17 answer [109] - 6:10, 10:18, 13:2, 17:10, 18:3, 23:19, 25:14, 25:15, 32:21, 41:14, 52:7, 58:9, 65:2, 66:3, 71:15, 71:21, 71:23, 78:15, 79:15, 82:6, 82:8, 83:2, 84:11, 84:20, 85:3, 86:1, 86:10, 88:8,
7				
7 [3] - 3:9, 3:19, 63:21 70 [6] - 104:16, 110:1, 174:11, 174:22, 305:8, 305:18 700-odd [2] - 157:23 71 [19] - 101:17, 104:14, 104:24, 105:4, 108:20, 110:5, 110:21, 112:23, 114:8, 121:19, 125:11, 136:4, 142:18, 158:13, 174:4, 174:10, 184:20, 184:21, 305:7 730 [2] - 159:5, 159:16 76 [1] - 3:21 765 [1] - 2:3 781 [4] - 188:7, 188:8, 309:22, 309:24 781-258-5421 [1] - 1:24				
8				
8 [5] - 3:21, 28:15, 76:9, 77:1, 107:1				

88:9, 88:10, 89:12, 95:9, 95:17, 96:5, 99:22, 102:13, 112:10, 113:16, 117:12, 125:18, 126:9, 131:7, 132:11, 132:23, 133:13, 143:2, 147:24, 148:1, 154:7, 159:11, 161:8, 161:14, 163:23, 164:8, 164:13, 168:7, 171:8, 182:19, 184:16, 186:18, 196:18, 199:2, 202:22, 203:6, 203:12, 203:14, 204:2, 206:9, 208:4, 208:5, 220:14, 220:23, 221:5, 222:8, 222:10, 222:12, 222:14, 222:18, 224:2, 224:14, 226:8, 229:21, 233:11, 236:7, 238:18, 239:10, 252:21, 254:11, 254:22, 259:7, 259:8, 259:11, 264:19, 269:4, 269:9, 270:16, 271:24, 275:22, 276:17, 277:6, 277:24, 278:2, 278:7, 283:4, 283:11, 288:5, 300:2, 303:21 answered [7] - 25:9, 87:21, 146:20, 241:16, 246:17, 259:16, 308:14 answering [3] - 12:23, 66:7, 266:21 answers [4] - 6:8, 6:14, 219:9, 223:3 anti [22] - 21:15, 26:8, 26:15, 26:19, 29:6, 29:7, 132:22, 227:15, 228:5, 228:10, 228:16, 229:16, 230:16, 260:8, 260:11, 260:12, 260:21, 260:24, 261:6, 261:11, 279:5, 279:6 Anti [4] - 4:3, 129:4, 129:9, 261:3 anti-counterfeit [11] - 26:15, 26:19, 227:15, 228:5, 228:10, 228:16, 230:16, 260:21,	260:24, 261:6, 261:11 anti-counterfeiting [11] - 21:15, 26:8, 29:6, 29:7, 132:22, 229:16, 260:8, 260:11, 260:12, 279:5, 279:6 Anti-counterfeiting [4] - 4:3, 129:4, 129:9, 261:3 apartments [1] - 201:21 apologize [2] - 129:7, 179:9 app [11] - 47:24, 48:1, 48:14, 49:8, 50:3, 50:9, 50:19, 50:21, 50:22, 51:9, 51:22 appear [2] - 58:5, 163:9 appearance [2] - 173:4, 303:14 appearances [1] - 19:3 APPEARANCES [1] - 2:1 Appendix [3] - 106:9, 107:1, 110:12 appendix [4] - 8:12, 13:20, 245:19, 306:19 applicable [2] - 1:17, 99:9 application [2] - 47:18, 114:4 applications [1] - 279:10 applied [4] - 208:9, 271:13, 311:16, 311:18 apply [3] - 209:16, 260:17, 274:15 appointed [1] - 284:13 approach [7] - 113:5, 113:6, 113:8, 121:21, 160:2, 177:4, 264:5 approached [1] - 12:10 approved [7] - 115:12, 125:23, 127:8, 127:17, 128:9, 128:18, 215:9 approximate [1] - 38:13 apps [1] - 51:5 April [9] - 234:4, 234:6, 234:7, 236:18, 240:2, 241:19, 269:23 arbitration [1] - 30:7 argues [2] - 286:2, 287:14 arrange [1] - 124:7	Articles [6] - 3:16, 56:5, 56:8, 56:19, 57:5, 58:17 Ashraf [2] - 76:21, 78:5 aside [2] - 83:4, 218:10 aspect [1] - 200:1 assert [1] - 296:15 assessments [1] - 34:18 assigned [1] - 284:19 assist [1] - 34:16 association [1] - 66:11 Association [2] - 278:16, 280:17 associations [2] - 278:9, 278:12 assume [7] - 126:4, 169:8, 169:17, 206:4, 225:7, 235:6, 235:8 assuming [3] - 19:4, 192:13, 193:7 assumption [1] - 144:18 attached [16] - 13:19, 30:5, 187:11, 227:2, 227:15, 231:11, 237:6, 245:21, 249:18, 250:20, 252:4, 254:8, 254:19, 290:10, 290:21, 299:14 attaches [1] - 119:16 attempt [7] - 70:21, 71:8, 173:2, 222:22, 294:13, 297:4, 303:12 attempted [1] - 70:14 attempting [2] - 238:22, 293:9 attention [10] - 90:1, 98:19, 101:16, 104:6, 104:8, 256:19, 269:3, 269:5, 270:19, 270:21 attest [1] - 126:3 attorney [3] - 5:12, 16:23, 17:5 attorney/client [6] - 12:24, 16:22, 41:11, 71:24, 84:22, 86:13 attributes [1] - 268:19 audits [3] - 24:14, 68:13, 68:14 Austin [5] - 28:10, 28:13, 43:9, 43:13, 72:8 Australia [1] - 283:21 authen [1] - 185:4 authentic [111] - 48:24, 92:8, 95:8, 96:7, 96:23, 97:3, 97:15,	98:3, 98:12, 98:24, 100:3, 105:14, 105:24, 108:12, 108:16, 110:7, 111:1, 119:6, 126:5, 132:8, 153:22, 154:20, 154:23, 155:4, 155:5, 155:6, 155:7, 155:14, 155:15, 156:6, 158:4, 159:1, 160:7, 160:15, 173:24, 182:17, 183:6, 184:12, 186:9, 189:20, 190:20, 196:2, 196:9, 196:11, 196:16, 196:20, 196:21, 197:6, 202:10, 202:15, 204:5, 206:5, 206:15, 207:3, 207:11, 207:16, 207:19, 207:20, 208:17, 208:20, 209:2, 209:21, 210:8, 245:14, 245:20, 245:22, 246:3, 246:5, 246:12, 246:16, 249:14, 249:17, 249:23, 250:8, 250:18, 250:19, 251:13, 252:5, 252:7, 253:1, 254:7, 258:9, 259:13, 263:9, 263:22, 265:10, 265:21, 266:3, 267:10, 267:16, 268:4, 276:2, 277:3, 277:15, 290:20, 292:7, 295:13, 295:14, 306:11, 306:15, 306:16, 307:8, 307:23, 308:9, 309:5, 309:15, 310:7 Authentic [1] - 261:18 authenticate [3] - 51:23, 257:24, 265:6 authenticated [2] - 215:9, 294:24 authenticating [1] - 160:3 Authentication [2] - 243:21, 273:12 authentication [14] - 47:21, 54:2, 66:21, 256:23, 257:4, 257:7, 264:14, 268:24, 269:12, 270:4, 270:7, 270:9, 273:19, 275:1	Authenticity [4] - 3:10, 7:8, 7:12, 9:4 authenticity [7] - 10:3, 105:17, 257:17, 270:13, 275:14, 282:3, 306:3 author [1] - 295:4 authority [1] - 276:1 authorized [5] - 63:13, 114:17, 158:6, 208:13, 251:14 automation [1] - 141:7 Avago [1] - 289:1 available [10] - 50:5, 50:9, 172:22, 179:13, 179:14, 194:6, 199:9, 217:20, 281:22, 303:8 Ave [1] - 2:3 average [5] - 136:20, 137:8, 137:11, 137:17 avoid [1] - 180:16 aware [10] - 5:16, 43:3, 72:3, 82:3, 118:18, 126:19, 126:24, 258:3, 278:14, 278:18
B				
B-I-I-G [1] - 37:18 bachelor [1] - 29:20 back [33] - 30:21, 42:6, 42:10, 48:5, 48:6, 48:9, 49:23, 55:18, 80:8, 85:14, 89:9, 111:17, 114:19, 114:21, 125:2, 125:15, 136:4, 140:21, 144:15, 151:23, 153:18, 154:15, 158:1, 162:20, 164:6, 175:6, 190:17, 241:19, 249:3, 249:4, 269:6, 271:10 back-end [1] - 48:9 background [3] - 39:21, 41:19, 295:20 bad [1] - 179:23 Bag [5] - 104:13, 104:17, 105:6, 105:15, 174:23 balance [1] - 87:1 balances [2] - 144:11, 158:9 ball [2] - 176:9, 181:10 Bancroft [45] - 13:4, 34:3, 35:1, 35:23, 36:5, 36:19, 36:22, 38:17, 39:4, 39:11,				

<p>42:19, 43:6, 43:15, 44:11, 44:13, 57:3, 57:12, 57:21, 58:1, 59:6, 59:12, 59:21, 59:23, 60:3, 60:12, 60:14, 60:24, 62:16, 62:17, 63:16, 64:24, 65:17, 66:12, 69:21, 72:23, 73:5, 73:8, 73:10, 73:13, 75:2, 75:19, 76:15, 78:12, 116:11 Bancroft's [1] - 72:10 bar [9] - 48:20, 48:23, 49:2, 49:9, 49:11, 49:15, 49:21, 258:18, 273:4 barcode [94] - 4:11, 99:3, 99:9, 99:20, 102:8, 103:9, 103:15, 103:16, 120:23, 121:2, 121:3, 143:19, 143:24, 145:23, 146:3, 146:13, 147:1, 147:2, 147:7, 147:17, 148:12, 148:16, 148:18, 149:1, 149:2, 149:9, 149:12, 149:20, 150:1, 150:22, 150:23, 151:14, 151:15, 152:9, 153:15, 154:3, 155:20, 155:24, 156:22, 170:16, 174:16, 176:1, 176:22, 177:2, 178:14, 178:24, 179:14, 183:3, 183:4, 183:9, 185:1, 191:14, 192:23, 193:2, 193:13, 194:3, 194:17, 194:20, 194:21, 195:4, 202:14, 205:9, 205:10, 227:14, 228:5, 245:5, 245:7, 251:23, 264:1, 264:8, 264:12, 264:24, 265:4, 268:21, 291:10, 291:18, 291:24, 292:2, 292:6, 292:13, 292:15, 295:13, 295:22, 304:15, 304:24, 307:1, 308:1, 308:4, 308:8, 308:20 barcodes [18] - 91:12, 103:15, 148:11, 152:1, 152:6,</p>	<p>152:17, 152:23, 153:3, 178:9, 195:3, 195:7, 195:10, 195:11, 197:15, 197:21, 203:8, 306:20, 306:23 base [3] - 92:19, 97:17, 206:7 based [52] - 50:19, 82:21, 89:15, 96:16, 97:20, 103:23, 113:20, 114:3, 120:20, 122:14, 122:19, 158:23, 159:23, 160:1, 164:21, 166:18, 166:22, 171:20, 176:4, 176:12, 181:4, 182:5, 183:24, 188:7, 189:23, 190:1, 200:5, 200:6, 202:16, 205:13, 207:21, 209:21, 214:10, 216:5, 216:15, 218:5, 233:1, 235:17, 241:6, 241:7, 244:6, 249:23, 252:16, 254:7, 263:20, 276:18, 289:13, 290:10, 295:8, 308:10, 310:18 basing [1] - 144:18 basis [6] - 24:20, 25:4, 85:10, 121:14, 123:3, 184:2 batch [20] - 48:13, 101:21, 144:6, 151:21, 159:5, 159:16, 162:3, 162:7, 165:7, 186:11, 186:24, 187:5, 188:12, 188:16, 188:17, 199:23, 268:12, 276:22, 309:2 batches [3] - 100:12, 140:5, 169:15 Bates [9] - 210:17, 215:21, 215:22, 238:4, 239:13, 291:13, 291:14, 296:10, 296:12 bathroom [3] - 162:17, 162:20, 248:20 bear [2] - 10:2, 282:2 bearing [1] - 271:12 bears [2] - 291:13, 291:14 became [1] - 26:11 become [1] - 171:15 beg [1] - 131:9</p>	<p>began [8] - 105:14, 106:1, 108:13, 108:17, 110:7, 111:2, 111:21, 269:23 begin [3] - 106:21, 109:8, 109:21 beginning [7] - 22:5, 22:11, 54:15, 59:16, 62:18, 124:5, 271:1 behalf [1] - 1:16 behavior [3] - 171:18, 176:11, 176:16 behind [1] - 36:9 Bell [1] - 33:14 below [2] - 105:18, 173:8 beneficial [1] - 39:10 benefit [1] - 157:9 best [2] - 132:5, 176:12 bet [1] - 213:3 better [2] - 71:23, 78:24 between [17] - 14:9, 22:8, 62:24, 66:19, 97:8, 134:14, 155:6, 156:11, 169:16, 169:22, 171:6, 173:24, 195:18, 198:17, 203:10, 264:4, 302:16 beware [2] - 262:21, 263:4 beyond [2] - 10:14, 297:1 big [7] - 67:5, 134:13, 135:14, 140:1, 140:19, 149:4, 166:23 BILG [8] - 37:18, 37:20, 37:22, 37:24, 38:4, 39:15, 40:15, 41:22 biographer [1] - 46:15 biographies [1] - 46:21 bit [2] - 36:17, 266:23 blank [1] - 66:8 Board [1] - 296:5 board [6] - 22:13, 22:14, 22:17, 22:19, 174:14, 175:4 borrow [3] - 130:7, 130:10, 255:9 Boston [2] - 1:20, 2:9 bother [1] - 179:5 bothered [1] - 174:21 bottom [12] - 16:1, 16:15, 56:20, 63:14, 107:20, 131:18, 132:20, 133:4, 225:4, 228:3, 301:7, 301:24 box [7] - 208:8,</p>	<p>208:10, 209:14, 209:18, 250:14, 250:17, 251:5 BP [8] - 106:21, 108:13, 108:17, 109:22, 110:7, 111:2, 111:22, 114:2 Brand [1] - 72:19 brand [12] - 3:15, 13:6, 13:7, 27:7, 31:6, 33:7, 39:23, 46:7, 116:5, 275:9, 275:12, 275:13 brands [2] - 245:3, 275:11 break [40] - 6:23, 7:1, 18:22, 19:13, 70:5, 70:12, 71:14, 113:2, 123:2, 123:5, 123:6, 123:8, 123:9, 123:10, 123:12, 123:21, 123:24, 124:6, 124:7, 124:8, 124:9, 124:13, 124:15, 124:16, 124:17, 125:5, 162:16, 162:17, 162:20, 248:17, 248:20, 248:21, 249:5, 282:6, 282:15, 283:2, 283:10 briefly [1] - 266:24 bring [9] - 90:1, 98:19, 101:16, 104:6, 104:7, 178:19, 269:2, 270:19, 270:21 bringing [1] - 269:5 broadly [1] - 53:16 broke [1] - 20:12 build [4] - 32:24, 51:12, 51:14, 51:22 built [6] - 45:6, 51:4, 54:2, 67:1, 272:20, 274:9 Bullet [13] - 108:20, 110:23, 110:24, 119:22, 122:1, 122:5, 136:3, 145:22, 147:6, 172:19, 178:5, 186:2, 186:12 bullet [26] - 99:18, 101:19, 110:1, 110:5, 113:7, 114:7, 121:18, 136:5, 136:7, 142:16, 143:18, 145:24, 155:17, 157:3, 157:14, 157:21, 158:15, 190:17, 192:1, 197:4,</p>	<p>197:24, 206:1, 206:13, 207:1, 210:9 bulletin [3] - 119:4, 119:17, 244:3 Bulletin [1] - 242:8 Bunis [2] - 2:7, 3:5 bUNIS [2] - 254:2, 286:5 BUNIS [374] - 7:22, 10:1, 10:12, 10:17, 12:8, 12:21, 13:9, 13:11, 13:15, 13:17, 14:2, 15:20, 16:14, 17:10, 17:19, 17:23, 18:3, 18:21, 19:1, 19:6, 19:10, 19:12, 19:19, 20:7, 20:11, 23:19, 24:19, 24:21, 25:9, 30:20, 32:20, 34:8, 41:8, 46:4, 46:9, 52:7, 52:13, 52:21, 53:14, 58:7, 58:9, 58:19, 60:7, 65:1, 66:5, 66:7, 69:13, 70:5, 70:10, 70:18, 71:15, 71:19, 71:21, 72:3, 74:22, 76:11, 76:19, 76:23, 77:6, 78:7, 78:14, 79:14, 81:13, 81:19, 81:21, 83:1, 83:20, 83:23, 84:2, 84:5, 84:10, 84:19, 85:3, 85:17, 85:21, 86:11, 86:17, 86:22, 87:16, 87:18, 87:21, 88:1, 88:5, 89:8, 89:11, 89:24, 90:16, 92:9, 95:9, 95:17, 96:10, 96:12, 97:4, 97:7, 98:4, 99:21, 102:9, 102:12, 107:6, 107:8, 111:16, 112:10, 112:16, 112:18, 113:10, 113:12, 113:15, 115:20, 117:12, 117:15, 117:22, 119:10, 119:21, 120:12, 123:1, 123:4, 123:15, 123:20, 123:23, 124:14, 125:14, 125:17, 126:8, 129:1, 129:12, 129:15, 129:18, 129:21, 130:1, 130:4, 130:13, 130:18, 130:22, 131:4, 131:9, 131:11, 132:11, 132:13, 132:23, 136:22, 137:4,</p>
--	--	---	---	--

142:8, 142:11, 142:17, 143:1, 143:3, 146:17, 146:22, 147:13, 147:18, 147:24, 149:19, 151:8, 159:7, 159:10, 161:7, 161:13, 162:19, 162:22, 162:24, 163:22, 168:6, 171:7, 182:7, 182:18, 182:22, 184:13, 184:15, 186:3, 186:15, 186:17, 190:8, 190:10, 190:12, 196:17, 198:19, 202:11, 202:17, 202:20, 203:1, 203:3, 203:11, 208:3, 210:20, 210:23, 211:2, 211:6, 211:11, 211:15, 211:20, 211:22, 212:2, 212:5, 212:7, 212:10, 212:12, 212:19, 212:22, 213:3, 213:5, 213:13, 213:16, 213:20, 213:23, 214:2, 214:7, 214:12, 214:16, 214:19, 214:24, 216:17, 216:20, 218:7, 218:18, 218:20, 219:2, 219:4, 219:19, 219:22, 219:24, 220:6, 220:8, 220:11, 220:17, 220:22, 221:1, 221:9, 222:3, 222:5, 222:9, 222:14, 222:19, 223:8, 223:12, 223:16, 223:19, 223:23, 224:13, 225:9, 225:16, 225:23, 226:2, 226:5, 226:7, 226:9, 226:13, 226:20, 227:4, 227:6, 227:11, 227:13, 227:17, 227:21, 228:7, 228:17, 228:23, 229:2, 229:13, 229:21, 230:8, 230:10, 232:13, 232:18, 233:7, 233:9, 234:5, 234:12, 234:24, 235:2, 235:8,	235:21, 236:1, 236:5, 236:7, 236:20, 237:11, 237:15, 237:19, 238:11, 238:19, 238:21, 239:6, 241:15, 242:9, 242:11, 243:17, 246:17, 252:20, 253:8, 253:23, 254:10, 254:20, 254:22, 255:11, 255:18, 256:13, 257:12, 259:6, 259:16, 261:8, 261:20, 262:19, 264:16, 264:18, 266:7, 266:12, 266:15, 267:19, 270:15, 273:22, 274:23, 275:21, 276:9, 276:16, 277:5, 277:23, 279:19, 280:18, 280:21, 280:23, 281:8, 281:13, 281:17, 281:21, 281:24, 282:10, 282:19, 283:3, 283:7, 283:11, 285:10, 285:15, 286:7, 286:9, 286:11, 286:17, 286:19, 286:22, 287:1, 287:5, 287:8, 288:2, 288:4, 288:8, 290:22, 292:8, 292:16, 292:20, 293:1, 293:5, 293:8, 293:17, 293:21, 294:2, 294:7, 295:15, 295:18, 297:1, 297:19, 298:21, 299:1, 299:7, 299:10, 299:18, 300:1, 301:1, 303:20, 304:9, 308:12, 308:14, 310:14, 311:3, 311:7, 312:3 burden [2] - 10:3, 10:4 Bureau [4] - 216:13, 216:24, 217:4, 217:7 burn [1] - 141:11 burned [2] - 264:2, 268:20 business [12] - 53:2, 64:20, 67:7, 68:19, 74:11, 74:13, 168:16, 177:6, 177:7, 177:8, 180:4, 209:9 businesses [2] -	134:18, 134:19 BY [2] - 5:9, 311:7 C calculation [2] - 138:24, 139:1 California [3] - 43:16, 61:23, 72:9 Canada [2] - 283:19, 283:21 cannot [23] - 86:5, 86:6, 101:4, 126:12, 151:6, 158:4, 159:24, 170:4, 173:8, 175:7, 179:12, 188:10, 190:7, 226:18, 259:10, 261:9, 262:5, 263:20, 275:5, 276:19, 300:12, 301:19, 302:3 capable [1] - 295:4 capacity [2] - 28:17, 116:16 capture [13] - 35:24, 104:24, 120:16, 149:5, 149:23, 150:6, 151:4, 153:1, 153:6, 153:9, 176:11, 201:10, 259:24 captured [29] - 8:14, 11:8, 11:16, 51:18, 54:16, 62:21, 62:22, 100:6, 127:24, 128:22, 137:24, 138:6, 148:15, 150:3, 150:15, 152:9, 152:18, 152:20, 154:7, 174:8, 181:15, 193:15, 195:4, 195:7, 200:1, 201:3, 201:10, 202:3, 241:8 captures [2] - 33:23, 48:2 capturing [1] - 164:19 career [2] - 26:3, 26:21 careful [2] - 41:13, 84:20 carefully [1] - 110:16 CAROLINE [1] - 1:8 carried [7] - 16:11, 17:9, 17:17, 246:3, 249:24, 252:12, 310:19 carries [2] - 92:7, 96:18 carry [8] - 97:12, 250:8, 252:6, 252:18, 259:14,	277:21, 297:22, 297:23 carrying [1] - 96:23 case [32] - 5:13, 5:17, 30:12, 42:13, 42:16, 50:22, 50:23, 76:20, 76:24, 79:3, 80:17, 80:18, 94:9, 121:9, 140:13, 157:23, 169:23, 172:14, 176:24, 183:2, 195:1, 196:11, 197:8, 201:6, 244:19, 250:16, 275:23, 286:1, 287:13, 288:15, 289:15, 306:17 CASE [1] - 1:5 cases [8] - 103:19, 152:7, 199:18, 244:16, 244:18, 250:12, 251:7, 258:24 casually [1] - 248:4 categorically [3] - 155:15, 196:12, 275:6 categories [1] - 177:19 CATHY [1] - 1:8 cell [4] - 22:24, 23:1, 23:15, 23:23 Center [2] - 57:13, 65:12 CEO [12] - 21:11, 22:3, 22:6, 23:7, 23:17, 44:1, 44:4, 45:7, 50:10, 52:5, 67:3, 67:10 certain [11] - 41:6, 61:1, 82:3, 82:5, 138:8, 165:8, 234:21, 235:14, 247:18, 284:13, 289:8 certainly [1] - 70:24 CERTIFICATE [1] - 313:1 certified [5] - 293:18, 294:5, 294:13, 294:18, 297:6 Certified [2] - 1:18, 313:7 certify [1] - 313:10 chain [19] - 21:20, 24:14, 25:21, 32:13, 33:4, 33:19, 33:22, 34:7, 34:17, 34:21, 34:22, 35:18, 35:19, 36:4, 37:6, 37:16, 39:19, 51:24, 68:13 challenge [2] - 275:20, 276:8 chance [10] - 46:11,	61:18, 61:24, 168:10, 168:11, 168:12, 255:4, 262:13, 283:14, 297:8 chances [6] - 169:1, 197:1, 198:24, 199:3, 199:4, 200:8 change [5] - 64:5, 112:13, 112:19, 241:6, 246:11 Change [3] - 3:20, 63:22, 63:24 changed [2] - 241:12, 311:24 changes [1] - 8:15 CHANGUA [1] - 1:10 CHANGZHEN [1] - 1:8 channel [1] - 68:13 character [1] - 49:18 characteristics [7] - 94:8, 234:22, 235:16, 237:9, 242:22, 243:15, 301:14 characterize [1] - 181:20 charges [1] - 6:9 chase [1] - 53:17 check [9] - 76:17, 137:4, 137:6, 137:22, 151:6, 151:14, 240:19, 257:24, 292:13 checked [1] - 291:24 checking [2] - 240:21, 257:18 checks [2] - 144:10, 158:9 CHENG [4] - 1:7, 1:8, 1:9 chief [13] - 9:12, 22:10, 29:16, 44:16, 44:17, 45:10, 45:13, 45:14, 45:17, 68:5, 68:6, 68:7 China [2] - 209:13, 309:12 Chinese [10] - 215:6, 216:12, 216:23, 225:13, 289:21, 290:8, 291:15, 292:12, 296:12, 297:6 Choate [3] - 1:20, 2:7, 12:5 choice [1] - 284:8 chunk [1] - 140:19 circumstance [2] - 188:6, 277:4 CISCO [1] - 135:4 Cisco [43] - 26:1, 26:4, 27:6, 27:9, 27:13,
--	---	--	--	--

<p>27:22, 29:23, 31:4, 32:8, 32:16, 39:5, 74:1, 74:7, 116:5, 133:20, 180:21, 180:23, 244:17, 272:3, 272:4, 272:7, 272:16, 273:6, 273:8, 275:8, 275:12, 275:13, 275:14, 275:18, 276:1, 276:5, 276:7, 276:22, 276:23, 276:24, 277:13, 277:20, 278:20, 288:17, 289:10</p> <p>citations [1] - 32:11</p> <p>Civil [1] - 1:17</p> <p>civil [1] - 287:18</p> <p>claimed [2] - 290:5, 309:12</p> <p>claiming [1] - 290:19</p> <p>clarify [9] - 6:21, 31:3, 59:10, 75:8, 75:13, 76:3, 88:17, 152:16, 302:7</p> <p>classified [1] - 31:11</p> <p>clean [1] - 255:15</p> <p>clear [13] - 30:20, 53:14, 78:22, 78:23, 152:21, 152:22, 159:12, 194:18, 215:6, 216:22, 218:15, 231:13, 271:23</p> <p>clearly [1] - 238:7</p> <p>Clearly [1] - 287:17</p> <p>client [7] - 48:18, 51:15, 70:24, 74:15, 74:16, 74:17</p> <p>clients [12] - 29:10, 37:16, 39:16, 39:22, 40:1, 40:2, 40:4, 40:15, 41:12, 41:22, 51:5, 288:19</p> <p>clock [1] - 287:4</p> <p>close [1] - 180:9</p> <p>code [22] - 48:20, 48:23, 49:2, 49:10, 49:11, 49:15, 136:8, 136:11, 138:4, 138:8, 138:12, 139:20, 139:22, 140:3, 140:10, 141:8, 142:3, 142:14, 142:22, 149:14, 183:19, 200:20</p> <p>codes [5] - 49:21, 138:10, 138:11, 138:13, 140:16</p> <p>cofound [6] - 21:22, 54:11, 55:5, 55:24, 73:18, 74:4</p>	<p>cofounded [7] - 21:23, 44:6, 54:7, 55:6, 69:2, 73:16, 73:24</p> <p>cofounder [8] - 21:11, 28:7, 44:8, 47:11, 58:10, 58:13, 59:8, 60:11</p> <p>cofounders [1] - 58:13</p> <p>colleague [4] - 41:2, 90:12, 90:23, 91:4</p> <p>collect [4] - 93:2, 120:9, 145:10, 241:24</p> <p>collected [1] - 150:10</p> <p>collectively [1] - 67:6</p> <p>colloquy [2] - 222:23, 249:2</p> <p>column [1] - 139:12</p> <p>combination [1] - 146:11</p> <p>combined [5] - 44:18, 76:7, 76:13, 77:3, 77:4</p> <p>comfortable [1] - 48:4</p> <p>coming [1] - 140:9</p> <p>command [4] - 118:19, 124:1, 133:17, 134:21</p> <p>commencement [1] - 54:9</p> <p>commencing [1] - 1:21</p> <p>comment [1] - 112:2</p> <p>commented [1] - 83:21</p> <p>comments [10] - 85:20, 86:16, 86:19, 86:20, 87:10, 87:15, 87:20, 87:23, 88:2, 88:11</p> <p>commission [1] - 313:23</p> <p>common [6] - 23:22, 66:11, 262:22, 263:4, 267:13, 288:24</p> <p>Commonwealth [3] - 1:19, 313:3, 313:9</p> <p>communication [2] - 71:24, 87:13</p> <p>communications [4] - 13:1, 41:16, 84:22, 86:14</p> <p>COMMUNICATIONS [1] - 1:7</p> <p>companies [15] - 23:21, 65:21, 66:12, 67:3, 67:23, 68:23, 69:1, 69:9, 69:12, 82:13, 82:15, 133:20, 135:1, 180:1, 288:24</p> <p>Company [23] - 77:10, 77:13, 77:17, 77:22, 78:1, 78:13, 78:19, 79:4, 79:8, 79:12,</p>	<p>79:19, 79:23, 80:2, 80:4, 80:5, 80:15, 80:21, 81:1, 81:8, 81:10, 81:12, 82:23, 82:24</p> <p>COMPANY [2] - 1:12, 1:14</p> <p>company [41] - 23:18, 23:20, 28:7, 28:22, 45:20, 47:4, 49:5, 52:2, 52:5, 52:11, 52:15, 52:20, 52:23, 52:24, 53:1, 54:5, 55:2, 55:6, 55:16, 56:12, 58:6, 58:14, 58:16, 58:22, 59:8, 59:19, 59:20, 60:11, 62:13, 65:4, 65:7, 66:19, 67:6, 68:20, 70:2, 73:16, 74:11, 244:17, 288:18, 291:24, 292:5</p> <p>company's [3] - 28:9, 72:8, 118:5</p> <p>Company's [2] - 3:13, 15:12</p> <p>compare [3] - 48:6, 49:24, 257:8</p> <p>compared [2] - 48:8, 150:2</p> <p>compares [1] - 48:7</p> <p>comparison [1] - 49:5</p> <p>compensated [2] - 31:21, 31:24</p> <p>Compensation [1] - 31:20</p> <p>complained [1] - 289:21</p> <p>Complaint [3] - 212:24, 289:15, 289:17</p> <p>complete [7] - 7:24, 120:13, 131:12, 166:18, 167:15, 208:4, 221:16</p> <p>completely [11] - 87:4, 173:8, 175:8, 221:7, 223:3, 224:3, 224:15, 266:8, 280:6, 294:16, 310:15</p> <p>completes [1] - 208:5</p> <p>compliance [3] - 26:11, 27:4, 28:1</p> <p>composed [1] - 37:24</p> <p>compound [3] - 32:20, 89:11, 92:9</p> <p>concern [1] - 226:13</p> <p>concerned [1] - 237:13</p> <p>concise [1] - 38:12</p> <p>concisely [1] - 266:24</p> <p>conclude [3] - 150:13, 159:5, 307:7</p> <p>concluded [2] - 307:14,</p>	<p>312:6</p> <p>concluding [1] - 121:15</p> <p>conclusion [30] - 10:13, 17:15, 17:18, 17:22, 18:1, 58:20, 60:8, 65:2, 79:15, 83:2, 94:6, 96:19, 99:13, 114:3, 140:24, 150:8, 151:4, 151:6, 152:12, 153:15, 159:17, 159:19, 159:21, 160:1, 241:12, 246:11, 275:20, 276:8, 304:18, 308:8</p> <p>conclusions [4] - 16:24, 17:7, 128:7, 310:24</p> <p>conclusive [1] - 102:18</p> <p>conclusively [5] - 91:23, 92:11, 94:2, 275:7, 300:5</p> <p>condition [10] - 156:7, 156:10, 156:12, 186:1, 186:13, 193:1, 193:8, 203:16, 301:20, 302:4</p> <p>conditions [8] - 98:23, 154:21, 190:19, 196:1, 196:8, 206:12, 207:15, 207:17</p> <p>conduct [2] - 86:5, 177:6</p> <p>confidence [1] - 105:2</p> <p>confident [1] - 213:24</p> <p>confidential [12] - 51:4, 51:7, 213:7, 213:8, 213:10, 213:18, 214:4, 214:9, 214:13, 272:12, 272:13, 272:14</p> <p>confidentiality [2] - 213:12, 213:14</p> <p>confirm [4] - 219:13, 219:14, 260:22, 265:16</p> <p>confirmation [1] - 257:18</p> <p>confirmed [3] - 128:4, 153:4, 163:8</p> <p>confirming [1] - 137:5</p> <p>confirms [1] - 167:4</p> <p>conflating [1] - 237:12</p> <p>confuse [7] - 211:23, 238:22, 239:8, 266:13, 293:9, 294:14, 297:5</p> <p>confused [1] - 303:3</p> <p>confusing [1] - 211:24</p> <p>connection [1] - 118:21</p> <p>consequence [4] -</p>	<p>285:19, 286:14, 287:2, 287:19</p> <p>consequences [1] - 259:18</p> <p>consequently [1] - 287:21</p> <p>consider [14] - 37:9, 96:7, 202:10, 202:15, 206:15, 207:3, 207:19, 207:20, 210:8, 240:4, 241:2, 253:21, 253:24, 260:10</p> <p>considered [2] - 121:24, 209:2</p> <p>considering [1] - 235:23</p> <p>consistently [1] - 304:22</p> <p>consists [1] - 100:16</p> <p>Consult [1] - 65:13</p> <p>consultant [2] - 29:18, 39:22</p> <p>consulted [1] - 29:1</p> <p>consulting [6] - 13:6, 21:14, 30:15, 30:16, 32:3, 66:24</p> <p>Consulting [14] - 65:5, 65:24, 66:17, 67:2, 67:9, 67:11, 67:16, 67:20, 68:9, 68:16, 68:22, 69:17, 70:3, 74:17</p> <p>contain [4] - 36:19, 149:13, 200:21, 266:1</p> <p>contained [10] - 64:5, 100:2, 101:21, 160:8, 160:13, 160:16, 194:2, 225:18, 240:1, 244:2</p> <p>contains [10] - 98:1, 160:5, 169:19, 225:14, 235:14, 239:12, 239:16, 265:20, 267:8, 268:1</p> <p>contend [3] - 16:10, 290:7, 292:11</p> <p>content [2] - 292:1, 302:22</p> <p>contention [1] - 248:12</p> <p>Contents [1] - 8:21</p> <p>contents [2] - 9:1, 9:2</p> <p>context [8] - 126:16, 141:15, 145:11, 146:12, 164:14, 233:19, 268:17, 271:22</p> <p>continue [5] - 20:9, 71:3, 172:10, 215:18, 235:13</p> <p>continued [1] - 4:1</p>
---	---	--	---	---

<p>continues [2] - 64:12, 284:12</p> <p>contract [1] - 29:5</p> <p>contrast [1] - 136:12</p> <p>contribute [1] - 83:20</p> <p>contributed [3] - 83:16, 83:18, 84:9</p> <p>control [2] - 123:7, 144:10</p> <p>controls [1] - 158:8</p> <p>conventions [2] - 113:14, 113:18</p> <p>conversation [2] - 19:21, 39:8</p> <p>conversations [1] - 6:7</p> <p>convince [2] - 263:8, 267:15</p> <p>COO [3] - 45:11, 45:16, 74:9</p> <p>copied [1] - 191:1</p> <p>copy [18] - 7:10, 13:18, 56:8, 61:21, 78:24, 100:11, 130:17, 192:9, 194:4, 195:17, 210:17, 231:20, 255:9, 255:11, 255:15, 255:17, 261:21, 291:14</p> <p>copying [2] - 191:22, 194:20</p> <p>CORCORAN [1] - 1:22</p> <p>corners [1] - 181:9</p> <p>corporation [1] - 52:1</p> <p>Corporation [1] - 115:13</p> <p>corporations [1] - 180:2</p> <p>correct [334] - 6:12, 6:15, 6:16, 6:19, 8:2, 8:9, 9:9, 9:10, 9:13, 9:14, 9:16, 9:19, 14:18, 17:5, 17:6, 17:9, 21:8, 21:9, 21:16, 21:17, 21:20, 21:21, 23:8, 24:16, 24:17, 25:8, 25:10, 26:1, 26:2, 26:5, 26:6, 26:12, 26:13, 26:16, 26:17, 26:19, 26:20, 27:22, 27:23, 29:21, 29:22, 30:2, 30:7, 30:8, 32:14, 32:15, 33:23, 34:7, 34:12, 34:18, 34:19, 34:23, 35:12, 35:13, 35:19, 35:20, 37:3, 40:3, 41:23, 41:24, 42:2, 43:14, 43:17, 43:22, 43:23, 44:2, 44:6, 44:7, 44:11, 44:12, 44:20, 45:7, 45:8, 45:10, 45:12,</p>	<p>46:16, 46:23, 46:24, 47:4, 47:5, 47:15, 47:23, 50:12, 52:17, 54:5, 55:2, 55:3, 55:17, 55:19, 56:15, 56:17, 57:10, 57:11, 57:16, 57:17, 57:22, 57:23, 58:2, 58:3, 58:8, 58:18, 58:22, 58:23, 61:11, 61:12, 64:7, 64:8, 64:11, 64:24, 65:15, 67:13, 67:21, 68:2, 69:22, 72:12, 73:9, 73:13, 73:14, 74:3, 74:5, 74:10, 74:12, 82:2, 82:16, 83:13, 84:24, 88:21, 88:22, 90:14, 91:2, 91:6, 91:13, 91:15, 91:16, 96:21, 99:16, 99:17, 99:20, 100:3, 106:1, 106:6, 106:7, 106:22, 106:23, 108:10, 108:13, 108:18, 108:21, 109:23, 110:2, 111:11, 111:15, 112:1, 112:3, 112:4, 114:11, 115:14, 115:15, 115:22, 115:23, 116:21, 118:10, 119:2, 119:9, 119:20, 124:13, 125:13, 127:4, 127:5, 136:18, 136:21, 137:13, 137:18, 137:23, 138:14, 138:15, 139:16, 145:6, 145:7, 145:8, 146:23, 147:9, 147:10, 149:17, 150:23, 150:24, 151:7, 155:8, 156:8, 156:9, 157:6, 157:18, 157:19, 161:3, 162:3, 162:4, 163:10, 163:11, 163:21, 170:15, 173:18, 173:19, 175:14, 175:22, 177:15, 177:16, 177:21, 177:24, 178:1, 178:2, 178:15, 179:2, 179:13, 179:15, 181:21, 182:6, 183:9, 183:12, 183:13, 183:21, 184:4, 184:20, 185:5, 185:6, 185:15, 185:21,</p>	<p>185:22, 186:14, 189:13, 191:7, 191:16, 191:17, 191:23, 191:24, 192:7, 192:8, 192:17, 194:5, 194:6, 195:8, 195:9, 195:12, 195:13, 195:20, 195:21, 196:16, 197:14, 197:16, 197:18, 197:19, 197:20, 197:23, 198:4, 198:18, 198:21, 204:7, 214:14, 217:20, 218:19, 226:23, 232:17, 232:20, 233:8, 234:9, 234:15, 235:1, 235:6, 236:19, 236:21, 236:24, 237:4, 237:5, 237:7, 237:10, 239:22, 242:13, 245:16, 246:13, 247:7, 249:9, 249:10, 249:14, 249:15, 249:18, 250:20, 252:8, 252:13, 253:6, 258:10, 259:1, 261:1, 264:15, 265:2, 265:6, 265:16, 270:5, 274:22, 275:16, 276:3, 284:24, 285:1, 285:4, 285:5, 289:17, 289:24, 290:1, 290:21, 292:15, 298:20, 299:17, 300:18, 303:19, 304:2, 304:3, 306:20, 306:21, 306:22, 307:3, 307:4, 307:5, 307:8, 307:16, 308:5, 308:6, 308:11, 308:17, 308:21, 308:24, 309:6, 309:16, 309:22, 310:9, 310:10, 311:21</p> <p>Correct [1] - 292:19</p> <p>corrected [1] - 8:11</p> <p>corrections [1] - 8:16</p> <p>correctly [6] - 93:15, 121:4, 152:7, 182:4, 201:8, 294:17</p> <p>counsel [40] - 8:12, 12:1, 12:4, 12:7, 13:5, 14:19, 25:11, 39:4, 39:19, 71:14,</p>	<p>71:20, 75:1, 75:2, 75:20, 75:21, 76:16, 77:9, 77:12, 77:21, 78:18, 79:12, 80:9, 81:5, 82:15, 84:15, 84:16, 84:17, 84:24, 85:20, 86:16, 86:21, 87:13, 87:14, 87:20, 93:15, 124:12, 282:14, 283:10</p> <p>counsel's [2] - 88:2, 88:11</p> <p>count [3] - 89:18, 250:18, 271:1</p> <p>counter [2] - 279:5, 286:10</p> <p>Counterfeit [5] - 4:10, 172:18, 280:3, 280:16, 282:23</p> <p>counterfeit [237] - 10:6, 11:7, 14:16, 14:24, 15:2, 15:4, 15:8, 16:11, 17:2, 17:8, 17:9, 17:15, 17:17, 18:2, 26:15, 26:19, 31:14, 48:11, 49:1, 49:13, 50:2, 51:11, 88:21, 89:3, 89:14, 89:18, 92:1, 92:4, 92:13, 94:3, 94:16, 94:20, 94:23, 95:23, 96:6, 96:18, 96:20, 96:23, 97:2, 97:13, 97:20, 99:14, 100:12, 101:6, 101:11, 102:6, 102:19, 102:24, 104:11, 105:3, 120:19, 121:1, 121:16, 136:10, 140:3, 140:20, 141:9, 142:5, 142:7, 142:15, 143:22, 148:24, 153:23, 154:20, 156:4, 156:5, 159:2, 161:18, 163:14, 165:3, 165:24, 168:1, 168:20, 169:6, 171:1, 171:23, 172:2, 173:24, 176:19, 177:1, 177:14, 178:1, 179:24, 180:15, 182:16, 183:5, 185:4, 186:12, 187:2, 187:20, 189:4, 189:9, 190:5, 192:6, 194:15, 194:23, 195:2, 195:22, 195:23, 196:14, 198:15, 198:17,</p>	<p>199:24, 200:12, 201:7, 201:22, 204:21, 206:4, 206:6, 206:14, 206:16, 207:2, 207:4, 207:18, 208:9, 208:19, 209:1, 209:3, 209:16, 210:1, 210:7, 216:7, 216:14, 216:15, 218:5, 227:15, 228:5, 228:10, 228:11, 228:16, 229:19, 230:7, 230:16, 230:19, 230:24, 231:2, 231:9, 232:10, 232:12, 232:15, 233:2, 233:4, 233:6, 233:23, 235:19, 236:16, 244:7, 244:9, 245:12, 245:13, 245:23, 246:3, 246:6, 246:8, 246:10, 246:16, 249:8, 249:13, 249:18, 249:21, 249:24, 250:9, 250:12, 250:15, 251:9, 252:5, 252:7, 252:12, 252:18, 253:4, 253:17, 254:9, 254:18, 258:9, 258:20, 259:3, 259:14, 259:24, 260:4, 260:13, 260:16, 260:17, 260:18, 260:19, 260:21, 260:24, 261:6, 261:11, 263:22, 265:13, 265:14, 270:18, 271:13, 273:6, 273:8, 273:21, 274:5, 274:18, 275:9, 275:15, 276:2, 276:6, 277:1, 277:14, 277:15, 283:24, 284:14, 284:19, 285:9, 285:22, 286:3, 286:6, 287:15, 287:21, 289:23, 290:5, 290:10, 290:15, 291:5, 298:7, 299:5, 299:15, 299:17, 299:21, 299:23, 299:24, 300:4, 300:6, 300:17, 304:19, 305:3,</p>
--	--	--	--	--

<p>305:23, 306:9, 309:13 counterfeited [15] - 103:19, 167:7, 177:18, 180:22, 195:11, 197:12, 197:15, 197:21, 198:3, 256:22, 271:9, 271:11, 274:11, 274:12, 298:8 counterfeiter [18] - 165:9, 165:21, 167:23, 169:9, 174:3, 183:15, 184:5, 184:6, 185:12, 186:5, 186:7, 187:8, 189:7, 192:20, 203:7, 260:16, 260:18, 301:13 counterfeiters [60] - 100:6, 100:10, 100:18, 103:3, 103:17, 141:4, 141:5, 156:23, 165:10, 168:15, 171:2, 171:12, 171:14, 172:5, 172:12, 173:2, 173:8, 173:20, 174:20, 175:3, 175:7, 176:3, 176:5, 177:5, 178:3, 178:6, 178:19, 179:4, 179:11, 180:16, 191:1, 192:18, 194:4, 194:8, 195:15, 197:1, 197:19, 198:6, 199:8, 199:10, 200:6, 201:4, 201:16, 202:13, 253:15, 253:18, 258:6, 258:12, 258:15, 258:19, 262:23, 263:5, 267:14, 273:5, 274:13, 303:11, 303:24, 304:21, 305:12 Counterfeiters [2] - 172:21, 303:7 Counterfeiting [1] - 261:3 counterfeiting [46] - 4:3, 21:15, 26:8, 29:6, 29:7, 32:19, 93:21, 93:24, 104:21, 105:6, 109:24, 110:23, 116:4, 121:20, 121:23, 125:12,</p>	<p>129:4, 129:9, 132:22, 139:21, 139:23, 140:9, 141:19, 141:22, 141:24, 142:10, 142:24, 145:5, 158:12, 168:16, 179:17, 201:19, 229:16, 232:17, 241:4, 250:13, 258:24, 260:8, 260:11, 260:12, 270:14, 274:14, 279:5, 279:6, 303:18, 305:21 counterfeits [2] - 163:19, 169:12 countries [4] - 280:8, 283:22, 284:13, 285:23 couple [4] - 59:22, 262:1, 309:8, 311:3 course [10] - 19:23, 20:12, 41:13, 70:19, 71:2, 89:23, 110:15, 119:5, 170:1, 188:4 COURT [2] - 1:4, 1:5 court [3] - 20:16, 286:4, 287:20 Court [6] - 1:23, 4:9, 280:2, 280:15, 282:22, 310:11 courts [2] - 285:19, 286:14 cover [1] - 271:6 covers [1] - 118:17 covert [2] - 273:1, 274:8 Cozzilino [8] - 40:13, 41:3, 41:5, 42:4, 42:12, 42:14, 42:18, 43:8 create [5] - 36:15, 175:3, 199:20, 199:21, 200:16 created [3] - 100:17, 245:3, 282:4 creates [2] - 168:3, 189:8 Credential [3] - 35:1, 36:6, 36:20 Credentials [3] - 21:5, 25:19, 32:7 credentials [1] - 21:6 credible [1] - 276:15 criminal [2] - 287:19, 290:14 criteria [17] - 99:16, 142:9, 164:16, 175:22, 182:5, 183:7, 185:14, 189:19, 191:9, 195:23, 196:15,</p>	<p>200:17, 207:13, 251:22, 251:24, 308:10, 309:3 criterias [20] - 100:5, 121:10, 142:1, 157:1, 164:16, 164:21, 166:22, 183:2, 183:22, 183:24, 187:6, 189:6, 190:2, 194:14, 195:17, 198:15, 203:19, 207:9, 209:21, 306:6 critical [1] - 294:8 CSR [1] - 313:22 Curriculum [2] - 3:11, 14:7 customer [11] - 134:4, 134:7, 134:15, 135:3, 135:6, 135:17, 180:10, 263:8, 267:15, 292:5 customers [1] - 134:18 customized [1] - 51:13 cut [2] - 131:19, 181:9 CV [13] - 13:19, 13:21, 30:5, 34:16, 37:5, 43:18, 54:16, 55:8, 59:15, 62:21, 62:22, 63:4, 68:16</p>	<p>140:12, 140:23, 141:16, 143:7, 143:15, 144:17, 144:19, 145:10, 145:13, 145:15, 145:17, 149:6, 150:4, 150:5, 150:10, 150:17, 151:2, 151:3, 151:7, 153:9, 154:13, 156:16, 158:2, 158:22, 158:24, 159:18, 159:23, 160:1, 164:1, 166:14, 166:18, 168:3, 170:11, 171:4, 171:17, 171:19, 173:4, 175:23, 176:12, 176:14, 178:4, 181:20, 181:22, 182:3, 183:16, 184:9, 184:17, 188:19, 191:3, 194:13, 198:1, 200:16, 204:7, 204:11, 204:16, 204:19, 205:1, 205:15, 205:16, 232:24, 233:18, 234:1, 236:19, 240:20, 241:18, 241:21, 242:4, 244:15, 245:1, 263:20, 268:6, 300:17, 303:13, 303:19, 304:12, 304:14 Data [1] - 3:15 Data-driven [1] - 3:15 Date [1] - 46:6 date [42] - 22:2, 54:8, 54:12, 55:8, 55:21, 55:22, 57:4, 57:7, 132:20, 136:8, 136:11, 136:21, 137:13, 138:4, 138:8, 138:9, 138:11, 138:12, 138:13, 138:18, 138:21, 139:3, 139:15, 139:19, 139:22, 140:3, 140:10, 140:16, 141:8, 142:3, 142:14, 142:22, 280:23, 281:7, 281:9, 281:10, 281:11, 281:14, 281:15, 281:16, 281:18, 281:19 Date-driven [1] - 46:6 dated [4] - 4:5, 7:13,</p>	<p>61:22, 210:15 dates [5] - 136:13, 136:15, 137:10, 137:20, 139:12 DAVID [1] - 1:14 days [1] - 256:14 deal [3] - 26:7, 26:14, 116:5 dealing [2] - 249:21, 289:9 dealt [1] - 33:1 decades [2] - 21:19, 32:12 December [10] - 14:10, 35:12, 43:10, 43:19, 132:21, 133:2, 237:2, 237:3, 281:12 decided [3] - 82:17, 89:4, 244:20 deciding [1] - 285:21 decision [1] - 76:20 deduction [1] - 189:23 deed [1] - 104:4 deem [6] - 158:4, 209:22, 233:1, 259:23, 270:18, 291:4 deemed [21] - 113:21, 138:17, 140:2, 152:5, 156:5, 166:21, 171:23, 172:2, 183:5, 183:6, 190:1, 190:4, 197:6, 199:24, 201:7, 252:11, 252:17, 254:7, 265:13, 306:19, 307:23 DEF [3] - 225:5, 238:4 Defendant [3] - 3:12, 15:11, 15:17 Defendants [1] - 1:15 defendants [18] - 2:11, 2:16, 12:1, 16:5, 16:8, 16:13, 17:13, 53:17, 215:10, 217:14, 225:3, 225:5, 225:12, 238:2, 238:5, 266:5, 290:7 defendants' [2] - 225:4, 239:12 define [1] - 30:10 defined [2] - 120:3, 120:5 definitely [3] - 79:16, 97:19, 189:3 defraud [1] - 180:1 degree [3] - 29:20, 105:2, 247:16 deliberate [1] - 297:4 deliberately [2] - 239:9, 266:12 demonstrate [2] - 10:4,</p>
		<p>D</p>		
		<p>D2 [1] - 178:23 damaged [1] - 247:18 Dan [6] - 18:16, 18:17, 24:4, 32:2, 40:12, 45:3 dangerous [2] - 286:1, 287:13 Daniel [4] - 24:12, 68:8, 72:13, 91:5 dark [2] - 231:20, 231:21 dash [1] - 303:1 data [121] - 8:14, 48:5, 48:6, 48:7, 48:9, 49:6, 49:22, 50:17, 50:20, 51:17, 91:14, 92:18, 92:21, 92:24, 93:2, 93:5, 94:5, 94:10, 95:7, 97:20, 97:21, 98:15, 99:12, 101:22, 102:8, 102:17, 103:11, 104:9, 105:1, 112:21, 112:22, 112:23, 114:9, 118:21, 120:9, 120:16, 120:17, 121:3, 121:13, 126:20, 127:1, 128:5, 135:2,</p>		

<p>194:1 denial [1] - 249:22 department [1] - 37:12 dependent [2] - 205:21, 302:20 deposed [1] - 5:16 Deposition [1] - 3:2 deposition [15] - 5:20, 20:2, 20:15, 30:7, 71:2, 71:9, 123:8, 123:17, 213:9, 283:6, 287:6, 295:11, 312:5, 313:12, 313:13 DEPOSITION [1] - 1:16 depositions [2] - 71:9, 220:20 depth [1] - 180:14 derive [1] - 159:19 derived [1] - 48:8 describe [7] - 12:19, 21:18, 89:19, 143:13, 268:23, 270:9, 311:12 described [8] - 90:10, 178:19, 249:16, 251:16, 253:16, 290:4, 296:1, 312:1 describes [4] - 18:10, 228:9, 242:18 description [2] - 28:15, 254:6 design [9] - 26:4, 26:9, 27:2, 32:24, 93:3, 135:12, 136:1, 240:6, 251:3 designed [3] - 47:2, 178:7, 251:1 detail [3] - 52:10, 52:11, 90:11 details [6] - 48:4, 49:3, 51:1, 51:3, 180:19, 181:7 detection [6] - 180:17, 301:19, 302:3, 302:5, 302:9, 302:11 determination [26] - 10:24, 48:10, 49:7, 50:1, 50:18, 92:5, 96:15, 97:17, 102:18, 102:22, 102:23, 112:19, 113:1, 121:14, 144:23, 158:24, 170:3, 181:15, 187:3, 189:17, 206:7, 206:17, 206:19, 241:5, 244:22, 285:8 determinations [1] - 154:10 determine [44] - 11:6,</p>	<p>14:15, 14:20, 15:8, 31:13, 51:8, 51:10, 88:19, 89:2, 89:14, 89:17, 91:23, 92:12, 94:2, 94:15, 94:19, 95:22, 97:14, 104:10, 154:19, 155:11, 160:8, 160:16, 162:5, 180:14, 182:16, 183:20, 184:11, 191:9, 230:6, 230:18, 233:5, 236:14, 252:4, 283:23, 284:14, 284:18, 297:17, 299:20, 300:5, 301:14, 305:3, 305:22, 306:8 determined [28] - 88:15, 103:22, 104:2, 108:8, 121:8, 140:20, 141:23, 143:23, 148:24, 153:16, 156:6, 164:20, 168:19, 176:19, 188:8, 204:1, 204:5, 204:19, 216:13, 218:4, 229:19, 233:22, 254:17, 276:24, 290:9, 307:22, 309:4 determining [6] - 120:18, 153:21, 252:2, 273:13, 273:20, 275:2 deterrent [10] - 253:15, 253:18, 258:6, 258:11, 258:13, 272:23, 272:24, 273:3, 273:4, 273:9 develop [3] - 26:18, 29:7, 61:5 Development [9] - 77:13, 77:24, 79:8, 79:23, 80:4, 80:14, 81:7, 81:12, 82:24 device [17] - 90:12, 90:14, 90:23, 90:24, 105:10, 133:18, 135:4, 135:5, 172:7, 172:16, 180:7, 180:11, 248:11, 250:16, 250:18, 303:2 devices [24] - 115:10, 115:11, 120:15, 136:9, 136:20, 137:10, 137:12, 138:17, 138:21, 139:3, 139:19, 139:22, 141:10,</p>	<p>143:22, 149:17, 153:16, 158:10, 188:3, 250:22, 289:5, 289:6, 289:7, 289:9 differ [1] - 131:9 difference [8] - 9:17, 22:8, 133:10, 134:13, 135:14, 236:9, 238:12, 264:4 differences [1] - 301:17 different [30] - 50:22, 65:7, 76:6, 104:12, 115:6, 120:4, 120:9, 121:3, 133:16, 136:13, 136:15, 137:10, 138:9, 140:7, 141:23, 155:6, 158:23, 166:14, 223:24, 231:15, 238:24, 239:1, 266:9, 267:21, 267:22, 286:12, 298:3, 302:19, 305:23 differentiate [1] - 66:17 differentiation [1] - 68:19 differs [1] - 285:23 difficult [4] - 38:12, 258:14, 274:10, 278:1 digital [2] - 247:14, 247:15 dimitry [2] - 129:12, 219:2 Dimitry [16] - 2:3, 5:12, 10:15, 19:21, 86:11, 124:14, 190:8, 213:20, 219:4, 220:9, 227:17, 238:21, 256:1, 287:5, 294:21, 296:14 dimitry@joffe.law [1] - 2:5 direct [2] - 131:16, 256:19 directing [1] - 131:7 direction [2] - 18:12, 247:19 directions [1] - 18:15 director [12] - 24:14, 26:11, 26:14, 27:4, 27:8, 27:12, 27:14, 27:15, 28:1, 68:13, 72:22 dis [1] - 264:17 disagree [18] - 184:4, 230:5, 233:3, 264:20, 266:4, 267:17, 270:12,</p>	<p>271:19, 276:12, 277:17, 277:19, 288:6, 288:9, 289:11, 293:13, 294:15, 297:13, 298:20 disclose [2] - 126:19, 127:19 disclosed [5] - 127:1, 127:13, 127:15, 128:5, 128:8 discuss [5] - 42:12, 71:18, 72:2, 270:6, 283:5 discussed [7] - 19:23, 196:10, 196:13, 236:12, 282:17, 282:22, 283:9 discusses [1] - 237:8 discussing [3] - 163:4, 172:18, 280:7 Discussion [12] - 18:6, 18:8, 70:8, 76:18, 124:2, 124:20, 190:13, 193:23, 224:18, 249:1, 279:24, 282:11 discussion [6] - 18:23, 70:17, 239:19, 262:12, 281:2, 282:5 discussions [2] - 235:14, 239:17 Dismissal [1] - 79:6 dispersed [3] - 137:7, 137:11, 138:9 display [1] - 118:20 displayed [1] - 133:16 displays [1] - 134:21 dissatisfied [1] - 212:16 distinction [1] - 208:14 distinguish [9] - 97:7, 156:11, 169:15, 169:22, 171:6, 173:24, 195:18, 198:16, 203:10 distracting [1] - 222:21 distribution [3] - 137:19, 284:17, 285:3 DISTRICT [2] - 1:4, 1:5 divide [2] - 136:19, 137:2 divided [1] - 137:13 divulge [2] - 272:11, 272:13 docket [1] - 77:16 Dockets [2] - 3:21, 76:9 dockets [2] - 76:14, 76:19 doctrine [1] - 16:23</p>	<p>Document [1] - 116:1 document [142] - 7:11, 58:4, 82:11, 82:22, 93:9, 93:16, 98:18, 104:6, 115:18, 117:16, 117:22, 118:14, 119:3, 119:15, 122:7, 122:14, 122:19, 122:20, 122:24, 123:2, 123:6, 125:19, 125:20, 126:5, 126:6, 129:8, 129:16, 131:1, 131:2, 131:3, 131:5, 131:14, 132:16, 132:20, 133:1, 133:4, 152:21, 210:17, 210:19, 211:9, 211:10, 211:12, 211:17, 212:14, 212:21, 213:6, 213:7, 213:12, 213:16, 214:13, 214:15, 214:17, 217:6, 217:9, 218:16, 219:1, 219:5, 219:7, 219:8, 219:18, 220:2, 220:12, 220:15, 220:21, 221:12, 221:15, 222:4, 222:8, 222:11, 222:13, 222:16, 222:22, 223:2, 224:2, 224:8, 224:12, 224:15, 224:19, 225:2, 225:18, 226:15, 226:22, 228:19, 229:4, 229:5, 233:13, 233:16, 238:2, 238:3, 238:7, 238:23, 239:1, 239:11, 239:12, 239:14, 241:8, 241:9, 242:13, 246:20, 255:4, 255:5, 255:22, 256:5, 256:16, 256:20, 257:14, 261:12, 261:16, 262:4, 262:10, 262:16, 263:17, 279:23, 280:5, 280:14, 281:14, 282:1, 291:12, 292:18, 293:10, 293:16, 293:23, 294:1, 294:24, 295:1, 295:4, 295:9, 295:12, 296:3, 296:9, 296:10,</p>
--	--	--	--	--

<p>296:12, 296:23, 296:24, 297:7, 306:15</p> <p>documentation [2] - 145:18, 205:18</p> <p>documents [8] - 61:19, 76:7, 76:12, 81:16, 81:24, 220:19, 221:6, 240:6</p> <p>done [19] - 12:16, 134:24, 137:17, 138:24, 141:11, 143:13, 143:14, 154:13, 166:11, 169:4, 170:2, 184:13, 185:3, 237:3, 250:6, 256:7, 294:4, 297:10, 309:9</p> <p>door [1] - 201:23</p> <p>doubting [1] - 123:3</p> <p>down [4] - 51:15, 95:3, 113:2, 180:13</p> <p>downloaded [2] - 91:1, 91:3</p> <p>Dr [26] - 9:13, 11:4, 11:9, 11:14, 11:17, 115:19, 115:21, 117:2, 119:3, 119:16, 125:6, 218:13, 218:17, 218:24, 219:10, 224:21, 224:23, 226:23, 234:14, 234:16, 237:1, 237:6, 242:6, 247:11, 248:10, 300:23</p> <p>draft [2] - 84:15, 84:23</p> <p>drafted [1] - 295:6</p> <p>drafts [2] - 36:11, 36:18</p> <p>draw [2] - 159:17, 208:14</p> <p>drive [2] - 151:3, 160:1</p> <p>driven [2] - 3:15, 46:6</p> <p>driver's [1] - 5:5</p> <p>Drives [2] - 261:18, 261:19</p> <p>drop [2] - 176:8, 181:9</p> <p>drugs [3] - 18:19, 18:20, 19:16</p> <p>dual [3] - 29:15, 29:16, 59:14</p> <p>duly [2] - 5:5, 313:12</p> <p>dump [1] - 250:23</p> <p>dumped [2] - 209:12, 250:11</p> <p>duplicate [9] - 160:20, 171:21, 187:20, 199:20, 199:22, 200:1, 200:15, 268:11, 307:15</p> <p>duplicated [4] - 144:8,</p>	<p>158:16, 162:2, 188:24</p> <p>duplicates [7] - 163:19, 166:20, 170:21, 170:22, 184:8, 185:23, 188:10</p> <p>duplicating [1] - 184:10</p> <p>duplication [1] - 200:3</p> <p>duplicative [1] - 101:21</p> <p>during [10] - 19:22, 20:12, 70:12, 71:2, 71:14, 205:20, 282:15, 283:10, 295:10, 311:19</p> <p style="text-align: center;">E</p> <p>E.U [1] - 283:22</p> <p>early [1] - 27:21</p> <p>easily [4] - 137:2, 139:9, 169:3, 247:12</p> <p>easy [2] - 84:13, 137:22</p> <p>economically [1] - 177:24</p> <p>Edgerton [1] - 12:13</p> <p>edited [1] - 83:22</p> <p>EE [1] - 176:18</p> <p>EEPROM [94] - 91:14, 99:5, 99:20, 101:22, 102:8, 103:10, 104:20, 105:12, 114:9, 114:15, 118:22, 120:4, 120:23, 133:15, 133:22, 133:24, 134:2, 134:11, 134:23, 135:7, 135:10, 135:20, 136:8, 150:20, 157:5, 157:7, 168:3, 168:21, 169:6, 170:13, 170:14, 171:4, 172:1, 172:16, 172:20, 172:23, 173:3, 173:21, 174:17, 175:1, 175:20, 176:18, 178:4, 181:20, 182:3, 182:14, 183:16, 184:9, 185:9, 185:13, 191:3, 191:20, 194:13, 197:17, 198:1, 200:15, 200:19, 200:21, 202:14, 203:8, 203:19, 205:6, 205:9, 245:1, 245:6, 264:3, 264:10, 264:13, 265:1, 265:4, 268:21, 300:16,</p>	<p>302:10, 302:22, 303:4, 303:6, 303:9, 303:13, 303:19, 303:23, 304:5, 305:1, 305:4, 305:6, 305:10, 305:11, 305:20, 306:2, 306:14, 307:2, 308:23</p> <p>EEPROMs [2] - 136:11, 140:11</p> <p>effort [5] - 178:13, 178:23, 179:16, 263:8, 267:15</p> <p>efforts [2] - 168:23, 180:5</p> <p>eight [1] - 27:3</p> <p>eighth [1] - 262:19</p> <p>either [16] - 64:22, 68:16, 71:3, 75:11, 83:12, 108:13, 120:22, 150:21, 153:1, 168:22, 174:6, 174:20, 176:7, 199:8, 201:6, 278:24</p> <p>elaborate [2] - 143:8, 143:10</p> <p>Electric [2] - 115:7, 115:13</p> <p>electronic [5] - 117:6, 119:17, 125:7, 132:2, 300:9</p> <p>element [3] - 204:4, 248:7, 272:20</p> <p>elements [4] - 178:15, 179:1, 202:6, 202:8</p> <p>Embarcadero [2] - 57:13, 65:12</p> <p>emphasize [1] - 268:2</p> <p>employee [1] - 24:4</p> <p>employees [4] - 24:1, 24:3, 24:6, 67:15</p> <p>encoded [5] - 99:3, 155:19, 185:1, 191:14, 194:3</p> <p>encountered [1] - 249:20</p> <p>end [25] - 7:18, 8:6, 27:20, 48:5, 48:6, 48:9, 49:23, 62:18, 73:13, 94:12, 112:12, 121:12, 134:4, 134:7, 134:15, 135:6, 135:17, 136:5, 156:18, 180:9, 260:3, 273:24, 287:6</p> <p>enforcement [3] - 31:10, 258:21, 258:23</p> <p>engage [1] - 222:23</p> <p>engagement [4] -</p>	<p>12:17, 53:6, 53:10, 53:11</p> <p>engineer [14] - 26:4, 26:9, 26:22, 27:1, 27:2, 32:18, 32:24, 39:20, 61:5, 145:10, 204:14, 205:14, 241:20, 278:3</p> <p>engineering [6] - 31:7, 31:13, 33:8, 39:21, 41:21, 259:22</p> <p>English [8] - 20:18, 117:24, 118:8, 225:1, 229:6, 290:6, 296:10, 301:5</p> <p>ensure [3] - 103:5, 156:21, 158:10</p> <p>ensured [1] - 121:2</p> <p>ensuring [4] - 67:7, 181:7, 194:21, 202:4</p> <p>entered [1] - 133:18</p> <p>ENTERPRISE [1] - 1:14</p> <p>Enterprise [9] - 3:13, 4:8, 15:12, 77:9, 77:17, 77:21, 80:4, 80:10, 261:15</p> <p>enterprise [2] - 134:17, 135:3</p> <p>Entire [1] - 79:6</p> <p>entire [15] - 10:6, 10:9, 60:22, 71:2, 100:14, 117:16, 131:14, 148:19, 149:4, 152:8, 194:24, 201:10, 220:15, 222:10, 295:10</p> <p>entirely [2] - 112:4, 229:2</p> <p>entirety [1] - 212:14</p> <p>entities [4] - 75:24, 82:5, 82:18, 201:20</p> <p>entitled [3] - 7:11, 280:14, 283:23</p> <p>entity [6] - 60:24, 66:16, 75:23, 140:9, 208:13, 283:23</p> <p>entrepreneur [3] - 59:19, 66:2, 66:10</p> <p>Equipment [4] - 3:10, 7:8, 7:13, 9:5</p> <p>equipment [28] - 11:13, 14:16, 15:1, 15:4, 16:10, 17:1, 17:8, 17:14, 17:16, 18:2, 88:16, 88:20, 88:24, 89:7, 99:8, 157:17, 185:20, 185:24, 187:1, 216:4, 216:5, 216:6, 216:14, 216:16, 274:21, 292:3, 307:13</p> <p>equity [8] - 60:10,</p>	<p>60:12, 60:15, 60:24, 61:2, 61:7, 69:16, 70:2</p> <p>erased [1] - 300:19</p> <p>errors [1] - 197:5</p> <p>especially [1] - 23:22</p> <p>Esq [4] - 2:3, 2:7, 2:8, 2:13</p> <p>essentially [6] - 39:18, 45:3, 89:16, 90:8, 184:18, 258:18</p> <p>establish [2] - 82:11, 248:13</p> <p>established [4] - 37:2, 119:1, 122:3, 147:21</p> <p>ethical [1] - 179:22</p> <p>events [2] - 42:22, 43:2</p> <p>evidence [9] - 98:2, 98:12, 100:3, 160:6, 160:14, 265:21, 266:2, 267:9, 268:3</p> <p>evidences [1] - 32:12</p> <p>EX [8] - 106:21, 108:13, 108:17, 109:22, 110:7, 111:2, 111:22, 114:3</p> <p>exact [7] - 22:2, 38:5, 54:12, 55:7, 55:21, 202:21, 203:13</p> <p>exactly [20] - 55:14, 57:24, 88:6, 102:20, 128:16, 144:19, 160:24, 161:2, 162:14, 172:6, 176:23, 180:6, 187:21, 197:3, 205:11, 211:20, 232:2, 240:23, 242:1, 294:9</p> <p>EXAMINATION [2] - 5:9, 311:7</p> <p>Examination [2] - 3:4, 3:5</p> <p>examine [1] - 252:23</p> <p>examined [2] - 5:6, 89:20</p> <p>example [11] - 25:24, 33:15, 66:21, 105:10, 134:2, 143:17, 183:3, 293:8, 294:11, 302:23, 304:15</p> <p>examples [1] - 25:20</p> <p>Excel [2] - 152:19, 153:5</p> <p>except [1] - 46:15</p> <p>exception [2] - 287:8, 288:14</p> <p>exceptions [1] - 288:14</p> <p>excludes [2] - 92:17, 285:7</p> <p>excuse [4] - 196:4, 213:17, 221:9</p>
---	---	--	--	---

<p>executive [3] - 22:11, 45:14, 45:17</p> <p>Exhibit [51] - 3:23, 4:6, 7:5, 7:6, 14:3, 14:7, 15:11, 46:6, 56:4, 56:7, 61:15, 63:21, 76:5, 76:9, 77:1, 107:4, 115:19, 115:20, 116:1, 117:2, 125:6, 129:3, 210:12, 210:15, 216:17, 216:22, 218:12, 218:16, 218:23, 219:10, 219:11, 222:1, 227:13, 234:13, 234:17, 237:6, 242:6, 242:9, 242:15, 255:2, 261:2, 261:14, 280:1, 291:9, 296:5, 300:22, 300:23, 301:1</p> <p>exhibit [29] - 8:3, 15:10, 46:3, 56:2, 61:14, 61:21, 63:19, 76:2, 76:8, 76:13, 77:8, 107:3, 115:18, 125:10, 126:17, 128:24, 210:13, 215:4, 219:15, 220:13, 221:24, 227:6, 242:8, 242:10, 273:11, 282:17, 282:24, 291:7, 301:3</p> <p>EXHIBITS [1] - 1:3</p> <p>Exhibits [2] - 3:8, 4:2</p> <p>exhibits [1] - 14:4</p> <p>exist [3] - 50:7, 58:24, 64:13</p> <p>existed [4] - 54:5, 55:2, 58:22, 293:24</p> <p>exists [1] - 50:9</p> <p>expensive [2] - 253:20, 258:14</p> <p>experience [53] - 21:19, 25:20, 32:8, 32:11, 32:13, 33:5, 33:11, 33:18, 33:21, 34:21, 35:3, 35:14, 35:18, 36:1, 89:16, 91:22, 92:6, 94:1, 100:23, 103:2, 114:13, 116:20, 116:22, 133:19, 140:4, 141:4, 144:4, 144:22, 156:23, 171:9, 171:10, 171:20, 172:5, 172:10, 176:4, 177:12, 179:20, 181:4, 198:24,</p>	<p>199:6, 200:5, 201:15, 207:21, 244:7, 249:20, 257:13, 259:12, 271:14, 271:15, 279:3, 289:8, 304:20, 310:18</p> <p>experienced [1] - 250:4</p> <p>expert [40] - 9:9, 11:2, 11:9, 11:18, 12:1, 18:9, 21:7, 30:6, 30:9, 30:10, 30:11, 30:13, 30:15, 30:16, 30:24, 31:2, 31:12, 31:15, 32:3, 32:18, 36:11, 36:14, 53:12, 68:17, 110:22, 206:23, 224:21, 266:11, 282:18, 283:16, 285:23, 286:2, 287:14, 290:17, 300:23, 309:14, 310:6</p> <p>Expert [13] - 3:9, 4:9, 7:6, 7:11, 21:5, 25:19, 32:7, 35:1, 36:6, 36:20, 280:1, 280:14, 282:22</p> <p>expert's [1] - 10:5</p> <p>experts [2] - 285:20, 286:15</p> <p>expires [1] - 313:23</p> <p>explain [16] - 28:20, 35:21, 47:24, 63:3, 93:9, 93:17, 98:16, 100:24, 133:9, 139:8, 164:15, 167:17, 207:24, 209:24, 250:7, 295:17</p> <p>explained [11] - 100:10, 102:16, 164:4, 168:13, 169:21, 173:7, 175:7, 209:4, 210:3, 242:3, 244:5</p> <p>explaining [1] - 310:23</p> <p>explains [2] - 205:18, 267:12</p> <p>exposure [1] - 33:2</p> <p>express [2] - 245:21, 246:14</p> <p>expressly [1] - 265:18</p> <p>extent [8] - 10:17, 12:22, 41:11, 82:7, 82:19, 213:8, 214:2, 217:2</p> <p>extra [4] - 47:9, 47:13, 149:6, 255:16</p> <p>eye [1] - 248:11</p> <p>eyes [2] - 247:12, 247:24</p>	<p>F</p> <p>face [1] - 276:5</p> <p>facet [1] - 203:22</p> <p>facilities [1] - 29:12</p> <p>facility [2] - 158:7, 251:15</p> <p>fact [46] - 14:16, 14:23, 14:24, 86:20, 87:14, 88:20, 96:1, 96:17, 97:24, 98:7, 98:11, 100:1, 103:14, 103:21, 104:3, 127:10, 127:18, 159:13, 160:4, 160:12, 164:20, 165:4, 166:20, 167:4, 174:2, 188:15, 188:22, 203:22, 225:21, 233:14, 239:7, 265:19, 265:24, 267:7, 267:24, 272:2, 286:3, 287:15, 293:21, 295:12, 305:2, 305:3, 305:10, 305:24, 306:13, 307:9</p> <p>factor [5] - 204:17, 204:18, 208:19, 256:22, 257:7</p> <p>factored [1] - 244:21</p> <p>factors [4] - 156:14, 228:15, 257:17, 257:23</p> <p>factory [1] - 284:11</p> <p>facts [14] - 96:9, 98:8, 126:20, 127:1, 128:5, 128:7, 164:7, 170:2, 276:18, 276:19, 277:12, 278:3, 278:4, 296:2</p> <p>factual [3] - 15:1, 15:5, 248:13</p> <p>failed [1] - 105:17</p> <p>fails [1] - 189:18</p> <p>failure [2] - 35:7, 35:22</p> <p>fair [3] - 79:11, 87:4, 131:13</p> <p>fake [25] - 92:7, 92:8, 93:20, 93:23, 94:21, 95:6, 95:14, 95:16, 168:2, 168:4, 169:13, 169:20, 171:3, 178:7, 178:19, 187:11, 187:15, 191:2, 191:5, 191:10, 191:15, 191:21, 194:12, 304:1, 304:8</p> <p>false [9] - 110:13, 111:3, 111:9, 112:3,</p>	<p>112:5, 112:8, 112:11, 113:9, 122:4</p> <p>familiar [8] - 113:13, 257:3, 257:22, 279:3, 279:10, 284:16, 285:2, 289:16</p> <p>familiarity [1] - 257:16</p> <p>fang [1] - 247:11</p> <p>Fang [2] - 119:16, 248:10</p> <p>Fang's [22] - 9:13, 11:4, 11:9, 11:14, 11:17, 115:19, 115:21, 117:2, 119:3, 125:6, 218:13, 218:17, 218:24, 219:10, 224:21, 224:23, 226:23, 234:14, 234:16, 237:1, 237:6, 242:6</p> <p>fang's [1] - 300:23</p> <p>FANGSHOU [1] - 1:9</p> <p>far [5] - 45:1, 46:13, 69:13, 75:18, 296:23</p> <p>fashion [2] - 199:16, 274:2</p> <p>feature [5] - 260:8, 260:11, 260:12, 301:11</p> <p>features [12] - 89:6, 93:10, 93:17, 205:3, 205:20, 269:24, 271:5, 272:8, 272:10, 272:17, 274:9, 290:4</p> <p>February [3] - 1:21, 64:1, 313:18</p> <p>Federal [1] - 1:17</p> <p>felt [1] - 39:8</p> <p>few [5] - 140:16, 153:24, 248:4, 283:17, 307:17</p> <p>field [11] - 36:2, 114:15, 120:3, 120:6, 125:9, 125:13, 134:10, 135:8, 172:15, 201:16, 301:11</p> <p>fields [2] - 133:22, 133:23</p> <p>Figure [6] - 231:19, 231:23, 262:16, 262:18, 263:2, 270:8</p> <p>figure [7] - 17:12, 17:21, 36:7, 54:10, 55:4, 87:14, 162:5</p> <p>figures [1] - 270:8</p> <p>filed [8] - 57:5, 61:22, 62:3, 63:24, 64:9, 64:21, 64:22, 76:24</p> <p>files [2] - 58:17, 293:24</p>	<p>filled [1] - 132:7</p> <p>final [8] - 96:15, 112:19, 113:1, 121:14, 153:14, 241:5, 241:6, 309:11</p> <p>Finally [1] - 101:20</p> <p>FINANCIAL [2] - 1:11, 1:12</p> <p>findings [3] - 92:20, 153:10, 310:24</p> <p>fine [5] - 30:23, 71:13, 262:10, 288:13</p> <p>fingerprint [1] - 140:21</p> <p>Finisar [3] - 115:7, 115:13, 289:1</p> <p>finish [11] - 81:21, 86:23, 86:24, 96:13, 96:14, 112:16, 120:12, 141:20, 238:17, 293:1, 294:7</p> <p>firm [17] - 21:14, 36:24, 37:4, 37:13, 38:16, 38:17, 39:9, 39:14, 39:15, 40:16, 41:10, 41:23, 44:19, 58:1, 60:6, 67:22, 69:20</p> <p>First [4] - 3:13, 15:13, 15:18, 98:22</p> <p>first [40] - 10:4, 11:15, 14:11, 25:24, 29:23, 32:16, 47:6, 47:9, 80:9, 85:7, 99:1, 103:5, 105:7, 107:9, 107:14, 108:1, 109:10, 109:11, 110:1, 111:7, 113:7, 130:12, 131:19, 155:1, 155:17, 191:12, 216:1, 227:19, 227:24, 228:3, 234:17, 242:18, 273:10, 273:17, 282:7, 283:15, 291:12, 298:9</p> <p>fit [1] - 142:1</p> <p>five [5] - 162:18, 209:11, 248:21, 250:22, 271:2</p> <p>Flextronics [11] - 28:17, 28:21, 28:22, 28:24, 29:2, 29:3, 29:4, 29:11, 29:14, 29:18, 32:9</p> <p>Flextronics' [1] - 29:11</p> <p>Floor [1] - 2:13</p> <p>floor [4] - 43:7, 57:16, 65:13, 65:16</p> <p>fluorescent [3] - 268:23, 269:12, 270:4</p> <p>focus [2] - 167:20, 260:1</p>
--	--	--	---	---

<p>focused [1] - 244:23 focuses [2] - 95:19, 244:12 folks [2] - 40:12, 45:20 follow [5] - 105:8, 105:16, 149:22, 208:2, 276:11 follow-up [1] - 208:2 following [8] - 98:23, 104:8, 154:21, 190:19, 196:1, 196:8, 207:14, 269:24 follows [2] - 5:7, 292:2 foreign [1] - 293:16 forensic [6] - 92:1, 92:14, 92:16, 94:4, 95:20, 95:21 forensically [2] - 204:24, 208:22 form [1] - 85:10 formal [2] - 40:22, 53:1 format [3] - 148:10, 148:22, 201:3 formed [2] - 55:16, 62:13 formulating [1] - 39:23 forth [3] - 30:21, 251:24, 313:12 forward [2] - 28:4, 176:21 founded [10] - 28:7, 45:20, 55:18, 57:19, 58:5, 58:18, 58:24, 59:2, 59:3, 59:20 founding [2] - 22:4, 28:6 four [25] - 99:12, 99:18, 100:4, 101:23, 115:8, 144:14, 158:17, 187:6, 190:17, 194:13, 195:17, 195:23, 196:15, 197:3, 197:24, 203:18, 206:1, 206:12, 207:1, 207:9, 207:12, 207:17, 210:8, 268:7, 271:2 fourth [2] - 193:1, 285:13 frame [6] - 13:24, 140:15, 217:24, 218:1, 234:6, 311:17 Francisco [5] - 28:11, 28:14, 36:24, 57:13, 72:9 fraud [1] - 301:16 frequently [1] - 28:14 front [21] - 34:5, 34:17, 81:24, 95:12, 117:3, 126:2, 126:5,</p>	<p>166:19, 188:7, 189:22, 204:17, 205:15, 212:15, 220:12, 221:15, 238:23, 282:18, 293:10, 294:12, 300:24, 310:21 fstfngs@yahoo.com [1] - 1:24 fulfill [1] - 187:6 fulfilled [1] - 183:22 full [15] - 22:3, 24:6, 24:15, 44:21, 44:22, 52:15, 52:20, 52:23, 54:14, 55:9, 59:16, 73:2, 150:3, 195:7, 212:14 full-time [9] - 22:3, 24:6, 24:15, 44:21, 44:22, 54:14, 55:9, 59:16, 73:2 fully [1] - 72:3 function [1] - 255:6 functional [1] - 260:19 furthermore [2] - 166:24, 264:9</p>	<p>153:17, 154:10, 161:15, 164:21, 166:22, 169:18, 173:9, 173:16, 173:20, 175:8, 175:13, 175:22, 176:7, 176:22, 178:7, 180:7, 180:10, 180:15, 181:21, 182:6, 183:20, 183:23, 185:3, 185:24, 186:6, 187:9, 188:9, 188:11, 188:17, 189:2, 189:8, 189:10, 190:1, 190:24, 191:5, 191:10, 191:15, 192:5, 194:16, 196:21, 197:6, 198:13, 198:17, 200:12, 200:14, 200:18, 202:2, 204:1, 208:7, 208:11, 209:23, 210:2, 227:16, 233:2, 236:15, 244:8, 250:15, 251:10, 251:12, 251:16, 252:11, 252:17, 254:18, 259:24, 260:5, 270:18, 271:14, 273:14, 274:5, 274:18, 275:3, 275:18, 284:9, 284:17, 299:21, 300:7, 300:13, 301:21, 302:5, 304:19, 306:9, 306:19, 309:23 genuineness [1] - 273:20 Gibbons [1] - 2:12 GILL [1] - 1:14 given [13] - 31:14, 51:14, 87:3, 105:3, 172:7, 202:22, 221:12, 222:20, 234:10, 241:22, 268:14, 313:14 global [1] - 72:22 goal [20] - 103:1, 104:24, 120:8, 148:20, 150:13, 151:5, 153:9, 171:17, 172:6, 172:7, 176:9, 180:7, 180:20, 189:20, 205:14, 241:20, 241:23, 244:9, 245:17, 270:17 goods [14] - 283:24, 284:2, 284:9,</p>	<p>284:10, 284:14, 284:17, 284:18, 285:8, 285:19, 285:22, 286:2, 286:6, 287:14, 287:20 Goods [4] - 4:10, 280:3, 280:16, 282:24 graduation [1] - 29:24 great [1] - 6:23 green [2] - 107:9, 109:4 grounds [1] - 16:20 Group [1] - 72:19 group [16] - 31:7, 37:12, 37:14, 37:17, 37:18, 38:4, 38:8, 39:16, 142:2, 142:5, 161:6, 163:9, 187:19, 187:23, 188:23, 203:24 groups [3] - 38:11, 40:11, 142:20 guess [2] - 223:9, 234:5 guessing [1] - 234:3 guidance [4] - 203:9, 206:11, 251:17, 254:16 guidances [1] - 153:20 guideline [1] - 153:21 guidelines [3] - 154:18, 177:9, 257:2 guys [1] - 179:23</p>	<p>217:15, 218:4, 225:10, 225:13, 225:14, 227:1, 227:15, 229:19, 231:10, 232:9, 233:23, 234:22, 235:19, 237:7, 238:6, 242:8, 247:19, 252:12, 252:18, 261:5, 284:23, 285:3, 289:21, 289:23, 290:3, 290:4, 290:5, 290:8, 290:13, 291:9, 291:17, 292:3, 292:11, 300:14, 301:3, 303:1, 303:2, 303:17, 304:4, 309:12, 310:7, 311:10, 311:15 H3C's [6] - 113:13, 261:2, 297:23, 298:1, 298:3, 310:12 H3C3 [1] - 225:6 hacker [1] - 301:13 half [9] - 42:6, 63:11, 105:8, 107:14, 149:3, 149:13, 150:3, 195:4, 201:11 Hall [3] - 1:20, 2:7, 12:5 Hallam [19] - 22:18, 38:24, 40:19, 41:1, 44:9, 44:10, 44:16, 45:10, 47:11, 60:19, 61:10, 64:17, 67:17, 68:3, 68:5, 68:7, 69:3, 69:23, 83:7 Hallam's [1] - 47:6 hallmark [1] - 282:2 Hampshire [2] - 72:16, 72:17 hand [2] - 104:5, 313:17 handed [1] - 7:10 handing [1] - 180:20 hands [3] - 165:22, 167:8 handshake [2] - 302:16, 302:19 Hangzhou [1] - 292:3 happy [9] - 87:5, 121:11, 128:14, 220:22, 221:3, 221:21, 223:24, 256:10, 256:17 Hard [1] - 261:18 hard [3] - 38:9, 253:17, 253:19 hardware [5] - 26:4, 26:9, 27:2, 32:18, 32:24</p>
	G			
	<p>gen [1] - 10:6 Gen [1] - 77:18 general [5] - 40:18, 93:20, 158:5, 172:16, 257:13 generally [2] - 41:15, 61:8 generate [2] - 194:22, 194:23 generating [1] - 67:7 generators [3] - 178:14, 178:24, 179:14 generic [1] - 289:6 genuine [130] - 11:6, 15:8, 31:14, 48:10, 49:12, 50:2, 51:11, 89:14, 89:18, 91:24, 92:12, 94:3, 94:16, 94:19, 95:22, 99:14, 102:2, 102:19, 102:24, 103:23, 104:2, 104:4, 104:11, 104:22, 105:3, 105:9, 108:9, 109:5, 109:8, 109:21, 110:11, 113:22, 114:1, 114:20, 120:19, 121:8, 121:15, 136:12, 136:14, 138:18, 143:23, 144:6, 144:9, 148:18, 152:5,</p>			
			H	
			<p>H3C [102] - 4:4, 4:11, 50:21, 51:9, 114:9, 116:5, 116:9, 116:12, 116:15, 116:20, 116:24, 118:7, 118:10, 118:13, 118:23, 119:1, 119:3, 119:6, 119:8, 119:16, 119:18, 119:23, 122:5, 122:7, 122:8, 122:14, 125:9, 125:12, 125:19, 126:3, 126:5, 126:7, 126:14, 127:10, 127:17, 129:4, 129:9, 132:7, 132:9, 132:12, 132:21, 133:6, 133:18, 134:3, 134:5, 134:8, 134:15, 134:16, 135:4, 135:19, 135:21, 145:18, 181:2, 207:18, 216:4, 216:13,</p>	

<p>harm [1] - 214:7 hats [1] - 59:14 HC3 [2] - 129:10, 236:6 HCC [1] - 50:18 head [13] - 27:16, 31:6, 33:7, 37:23, 42:11, 52:4, 54:24, 55:8, 56:1, 58:9, 60:23, 242:1, 259:21 headed [2] - 23:11, 69:2 hear [4] - 19:18, 102:10, 167:17, 182:21 hearsay [2] - 295:10, 296:22 held [4] - 22:5, 22:7, 27:9, 27:13 help [4] - 156:11, 191:9, 198:16, 256:21 helped [2] - 61:5, 258:23 hence [2] - 176:8, 189:18 hereby [1] - 313:9 hereinbefore [1] - 313:12 hereunto [1] - 313:16 HEWLETT [3] - 1:11, 1:12, 1:13 Hewlett [23] - 3:12, 4:8, 15:11, 77:9, 77:13, 77:17, 77:21, 77:24, 78:13, 78:19, 79:4, 79:8, 80:2, 80:3, 80:10, 80:14, 80:21, 81:7, 81:10, 81:12, 82:23, 82:24, 261:14 Hewlett-Packard [13] - 77:13, 78:13, 78:19, 79:4, 79:8, 80:2, 80:14, 80:21, 81:7, 81:10, 81:12, 82:23, 82:24 HEWLETT-PACKARD [2] - 1:11, 1:12 hierarchy [5] - 40:17, 40:21, 45:1, 45:5, 45:19 high [5] - 105:2, 177:23, 179:17, 179:18, 209:10 highly [7] - 165:8, 165:14, 165:17, 165:20, 167:5, 168:8 hired [1] - 38:15 Hisense [1] - 115:3 hmm [21] - 14:23, 31:5, 31:15, 59:11, 70:4, 75:10, 77:2,</p>	<p>80:20, 90:4, 90:10, 94:17, 101:18, 109:3, 136:3, 166:16, 198:8, 201:5, 218:4, 233:3, 269:21, 279:18 hold [12] - 27:7, 67:4, 84:19, 89:8, 119:10, 146:17, 147:13, 159:7, 208:1, 208:3, 255:14 holder [3] - 284:1, 285:24, 290:13 holder's [3] - 285:21, 286:16, 287:18 holders [2] - 60:15, 69:16 holding [3] - 22:8, 219:5, 219:8 holds [1] - 68:12 holistic [9] - 98:14, 113:8, 121:21, 143:9, 160:2, 177:4, 240:19, 268:12, 274:2 holistically [11] - 68:24, 103:1, 103:12, 104:10, 112:24, 113:4, 140:24, 143:17, 144:18, 145:14, 300:5 hologram [6] - 145:2, 145:4, 257:1, 257:4, 257:11, 258:2 Hologram [1] - 255:23 holograms [7] - 257:13, 268:23, 269:12, 270:4, 270:6, 270:9, 270:12 holograph [1] - 208:9 Holographic [1] - 227:2 holographic [109] - 91:17, 92:3, 92:17, 93:4, 93:7, 93:10, 93:17, 93:23, 94:9, 94:18, 94:21, 95:6, 95:14, 96:6, 97:13, 97:18, 97:21, 99:15, 102:21, 102:23, 144:20, 145:18, 204:7, 204:8, 204:11, 204:12, 204:20, 205:2, 205:19, 206:3, 206:14, 207:2, 207:18, 207:23, 208:20, 209:3, 209:5, 209:15, 209:17, 217:15, 217:16, 217:17, 217:18, 217:22, 218:6, 231:10, 231:14, 231:16,</p>	<p>232:4, 232:5, 232:9, 232:15, 233:5, 234:1, 235:15, 235:16, 236:13, 236:15, 236:19, 237:9, 239:17, 239:19, 239:23, 240:7, 240:9, 240:17, 241:18, 241:23, 242:19, 243:13, 244:10, 244:15, 244:19, 246:8, 246:10, 246:15, 246:18, 248:5, 249:7, 249:12, 249:24, 251:1, 251:2, 251:6, 252:7, 252:9, 252:12, 252:18, 253:7, 253:12, 253:14, 253:24, 257:19, 258:4, 258:7, 258:16, 258:17, 259:14, 260:5, 260:7, 260:10, 260:15, 260:23, 272:4, 290:21, 311:10, 311:15, 311:19 holographically [1] - 254:20 home [3] - 43:9, 72:14 honest [2] - 233:12, 278:7 honestly [1] - 126:3 hope [2] - 72:4, 172:9 horizontal [2] - 46:24, 247:17 host [1] - 243:8 Hosts [4] - 4:4, 129:4, 129:10, 261:4 hour [4] - 31:22, 32:1, 70:6, 123:24 hours [1] - 25:2 HP [60] - 1:13, 12:16, 12:18, 12:20, 13:4, 13:5, 13:6, 40:3, 40:4, 42:20, 53:7, 53:13, 53:15, 53:16, 53:22, 72:19, 74:15, 74:16, 74:20, 74:24, 75:2, 75:6, 75:11, 75:23, 78:1, 79:7, 79:12, 79:13, 79:19, 79:21, 79:22, 80:4, 81:1, 81:5, 81:6, 82:15, 82:18, 93:12, 93:13, 114:16, 120:14, 125:22, 127:6, 128:8, 140:8, 140:14, 145:12, 145:15, 145:20, 165:5, 165:11,</p>	<p>167:4, 216:11, 233:24, 236:18, 237:21, 240:2, 256:22, 278:23 HPE [31] - 15:17, 16:20, 53:18, 75:11, 75:22, 76:16, 79:12, 79:16, 79:17, 79:18, 79:19, 80:12, 81:9, 82:16, 82:23, 256:5, 257:23, 261:17, 261:18, 266:5, 267:10, 267:12, 267:18, 268:22, 269:22, 273:13, 273:19, 274:1, 274:20, 275:1, 275:4 HPFS [3] - 5:17, 53:18 HPI [6] - 53:18, 53:23, 54:1, 54:3, 81:9, 82:23 huge [1] - 165:1 human [1] - 148:6 hundreds [1] - 171:11 hypothes [1] - 193:7 hypothetical [26] - 95:13, 102:12, 161:7, 161:13, 161:23, 163:22, 167:23, 168:6, 169:8, 170:7, 171:7, 191:20, 193:8, 196:17, 200:9, 200:11, 201:13, 203:15, 252:20, 253:2, 259:6, 275:21, 276:9, 276:16, 277:5, 277:23 hypothetically [8] - 189:14, 190:23, 196:23, 198:22, 204:2, 252:22, 253:5, 277:16</p>	<p>129:6, 172:23, 210:16, 222:2, 255:3, 261:15, 280:4, 291:11, 296:6, 303:9, 304:2 identified [2] - 5:4, 256:16 identifier [1] - 205:8 identifiers [3] - 173:11, 175:10, 244:18 identify [6] - 18:14, 176:10, 256:18, 257:10, 298:6, 298:8 identifying [3] - 173:9, 175:8, 178:9 Il [4] - 21:4, 25:19, 32:6, 33:12 illegitimate [1] - 180:3 images [2] - 255:5, 255:7 importance [1] - 240:11 important [18] - 81:22, 103:4, 120:14, 133:12, 144:3, 157:24, 158:3, 164:11, 164:14, 166:6, 188:22, 203:21, 206:22, 208:16, 237:19, 269:7, 278:4, 294:4 importantly [2] - 101:20, 118:17 Importantly [3] - 98:10, 265:18, 267:7 improper [5] - 82:9, 85:7, 86:13, 224:4, 229:3 IN [1] - 313:16 in-depth [1] - 180:14 inaccurate [1] - 310:15 inadmissible [3] - 294:23, 295:9, 296:22 inauthenticable [1] - 296:23 INC [2] - 1:7, 1:13 Inc [9] - 52:6, 74:16, 75:2, 75:6, 75:11, 75:23, 79:7, 81:5, 81:6 incentive [1] - 178:1 include [6] - 76:14, 88:2, 88:11, 96:2, 97:18, 151:2 includes [5] - 9:2, 9:21, 99:23, 178:8, 298:10 including [3] - 172:23, 229:16, 303:9 incorporate [2] - 87:23, 88:1 Incorporation [1] - 58:17</p>
--	--	---	---	--

incorrect [4] - 139:24, 197:7, 197:8, 237:22 incorrectly [1] - 143:20 indeed [4] - 100:14, 180:15, 285:17, 300:6 independent [1] - 310:16 independently [1] - 11:15 INDIA [1] - 1:13 India [1] - 53:18 indicate [14] - 132:7, 141:12, 146:14, 188:16, 229:17, 231:2, 232:11, 232:16, 233:21, 235:18, 258:8, 262:3, 270:12, 292:7 indicated [3] - 19:24, 69:24, 158:12 indicates [5] - 59:15, 104:21, 132:20, 165:6, 234:21 indicating [17] - 80:19, 125:20, 142:20, 181:5, 218:11, 232:1, 233:4, 234:13, 236:2, 238:3, 240:2, 242:15, 243:10, 257:14, 261:23, 269:14, 285:11 indicating) [17] - 78:8, 78:9, 78:17, 84:12, 148:7, 164:23, 230:1, 231:21, 231:24, 241:10, 269:1, 271:18, 273:11, 273:17, 285:14, 285:15, 286:24 indication [5] - 140:10, 160:22, 176:20, 265:14, 306:3 indicator [13] - 93:21, 93:24, 109:24, 122:2, 141:1, 142:10, 142:23, 144:21, 145:2, 145:4, 189:1, 189:3, 305:21 indicators [13] - 105:5, 110:23, 121:20, 121:23, 125:11, 141:3, 141:19, 141:22, 143:21, 145:5, 249:7, 268:7, 270:13 individual [7] - 18:16, 23:24, 61:3, 70:2, 82:4, 100:21, 101:5 individuals [4] - 12:11,	14:22, 60:19, 61:3 industry [3] - 135:9, 302:11, 302:12 influence [1] - 6:18 influenced [2] - 285:20, 286:15 info [4] - 4:11, 291:10, 291:18, 300:9 inform [1] - 128:11 Information [5] - 3:18, 61:16, 61:22, 62:2, 64:6 information [69] - 16:21, 23:6, 48:2, 49:4, 49:16, 49:24, 51:7, 51:8, 64:5, 93:3, 93:7, 93:9, 94:12, 96:2, 125:8, 127:14, 134:22, 137:21, 165:12, 169:11, 172:22, 172:24, 173:9, 178:9, 191:2, 191:3, 193:3, 193:13, 194:4, 194:6, 194:9, 194:12, 198:9, 198:14, 204:8, 217:15, 217:20, 217:21, 218:2, 235:23, 236:1, 236:24, 238:9, 239:24, 240:3, 240:4, 241:3, 241:13, 241:24, 244:2, 244:14, 272:12, 272:14, 292:14, 292:15, 295:13, 303:8, 303:10, 304:2, 304:8, 311:9, 311:12, 311:14, 311:18, 311:21, 311:22, 311:23 informed [5] - 70:12, 114:16, 115:11, 120:14, 125:22 informing [1] - 175:9 informs [1] - 292:4 infrastructure [2] - 103:18, 181:11 infrastructure [5] - 141:7, 174:18, 199:13, 200:7, 201:18 infringement [1] - 287:22 inquiring [1] - 41:10 inquiry [1] - 291:23 insofar [1] - 282:2 inspect [5] - 91:7, 91:17, 257:10, 257:11, 298:12 inspected [2] - 216:4,	248:14 inspecting [4] - 11:13, 88:23, 90:7, 90:9 inspection [10] - 50:14, 88:16, 89:6, 93:6, 152:18, 225:14, 235:24, 240:12, 244:4, 298:16 Inspection [1] - 255:23 instances [2] - 259:13, 259:15 Instead [1] - 304:4 instruct [10] - 12:22, 41:9, 70:24, 88:7, 117:18, 131:17, 223:6, 224:6, 239:9, 283:3 instructed [2] - 20:5, 86:1 instructing [6] - 70:15, 71:22, 222:7, 222:9, 222:17, 224:1 instruction [7] - 85:17, 87:2, 222:20, 223:1, 223:20, 224:1, 224:3 instructs [1] - 25:14 INTA [7] - 278:15, 278:20, 278:23, 279:1, 280:19, 281:7, 282:24 inta.org [1] - 281:23 integral [3] - 253:21, 254:1, 254:5 INTEGRATED [1] - 1:6 intend [1] - 112:11 intended [5] - 263:10, 266:6, 267:11, 269:19, 271:21 interaction [1] - 48:3 Interaction [1] - 79:6 interacts [1] - 48:1 interest [4] - 60:13, 240:11, 241:1, 244:3 interested [2] - 29:13, 235:22 interface [2] - 118:20, 292:1 interim [1] - 214:8 interior [1] - 298:15 International [4] - 1:20, 2:8, 278:16, 280:17 interpreting [4] - 133:23, 135:1, 135:15 Interrogation [3] - 4:13, 296:5, 297:15 interrogatories [2] - 16:4, 16:7 Interrogatories [3] - 3:14, 15:14, 15:18 Interrogatory [2] - 16:2, 16:16 interrogatory [3] -	16:18, 16:21, 17:13 interrupt [1] - 129:13 interrupted [3] - 124:13, 220:7, 287:12 interrupting [2] - 25:5, 123:16 interruption [1] - 190:21 Interruption [4] - 193:20, 196:3, 229:11, 232:8 interview [1] - 38:21 interviewed [1] - 39:1 intimidate [1] - 70:22 introduce [1] - 279:22 introduced [1] - 282:1 Introduction [1] - 11:23 invent [5] - 173:10, 173:15, 173:17, 175:9, 175:16 inventing [1] - 175:12 inventories [1] - 169:21 inventory [19] - 100:15, 114:20, 114:23, 167:1, 169:9, 170:10, 170:12, 172:14, 175:14, 184:7, 186:9, 186:10, 187:9, 193:5, 193:6, 193:9, 193:12, 193:19, 194:1 Inventory [7] - 106:10, 107:11, 109:1, 111:19, 113:24, 114:1, 115:6 inverse [1] - 209:24 invest [2] - 60:1, 66:13 invested [5] - 28:22, 59:12, 59:21, 62:16, 67:22 investigate [2] - 89:5, 89:7 investigation [2] - 41:19, 241:4 investigations [8] - 21:16, 26:8, 26:12, 26:16, 28:2, 29:7, 41:20, 72:22 investing [1] - 69:11 investment [1] - 174:19 investments [1] - 62:15 investors [1] - 60:4 invoice [1] - 263:7 involved [2] - 43:1, 201:18 involvement [2] - 42:15, 42:22 irrelevant [1] - 280:6 irrespective [3] - 156:18, 245:8, 245:10	issue [2] - 253:7, 280:22 issued [2] - 280:16, 281:1 issues [3] - 26:8, 26:15, 279:6 items [1] - 197:4 iterations [1] - 36:15 its's [1] - 23:20 itself [28] - 49:8, 69:10, 94:14, 98:2, 98:12, 100:2, 156:10, 160:6, 160:14, 205:1, 208:21, 244:12, 245:11, 245:14, 245:20, 249:22, 254:6, 260:2, 263:15, 265:20, 266:2, 267:9, 268:3, 274:19, 295:14, 299:17, 302:18, 306:10 J JADE [1] - 1:7 January [21] - 7:13, 14:9, 35:12, 43:10, 43:22, 43:24, 54:4, 54:9, 54:15, 55:10, 55:19, 57:8, 57:20, 58:22, 59:2, 59:3, 59:7, 59:17, 62:18, 237:2 JASON [1] - 1:7 JDSU [1] - 289:1 Jeff [11] - 22:18, 38:24, 40:19, 41:1, 44:9, 44:10, 44:16, 45:10, 60:19, 67:17, 68:5 Jeffery [2] - 47:12, 47:13 Jeffrey [3] - 47:11, 61:9, 69:23 job [4] - 29:23, 140:22, 169:23 Joffe [4] - 2:2, 2:3, 3:4, 5:12 JOFFE [208] - 5:9, 10:11, 10:20, 13:14, 14:5, 16:15, 17:20, 20:4, 20:9, 20:22, 21:2, 24:20, 24:24, 30:23, 34:10, 46:2, 53:16, 56:3, 61:20, 70:7, 71:6, 72:1, 72:5, 76:4, 76:12, 76:22, 77:2, 81:18, 81:20, 82:9, 83:21, 84:1, 84:3, 84:7, 85:1, 85:5, 85:23, 86:15, 86:18, 87:7,
--	---	---	---	--

87:17, 87:19, 96:11, 97:10, 107:3, 107:7, 117:13, 117:20, 117:24, 119:14, 123:7, 123:13, 123:16, 123:19, 123:22, 124:1, 124:3, 124:17, 125:2, 125:4, 129:14, 129:17, 129:20, 129:22, 130:3, 130:8, 130:10, 130:24, 131:5, 131:10, 131:22, 136:24, 142:13, 142:18, 146:20, 147:16, 147:20, 162:21, 162:23, 163:2, 184:14, 190:9, 190:11, 190:15, 193:21, 202:24, 211:4, 211:7, 211:13, 211:16, 211:21, 211:24, 212:3, 212:6, 212:8, 212:11, 212:18, 212:23, 213:4, 213:11, 213:15, 213:19, 213:22, 213:24, 214:5, 214:10, 214:15, 214:18, 214:21, 216:19, 218:22, 219:7, 219:21, 219:23, 220:1, 220:7, 220:10, 220:16, 220:18, 220:23, 221:8, 221:23, 222:7, 222:17, 223:5, 223:11, 223:13, 223:18, 223:22, 224:7, 225:10, 225:22, 226:1, 226:4, 226:6, 226:11, 226:18, 227:8, 227:12, 227:19, 227:24, 228:20, 228:24, 229:7, 229:12, 235:11, 236:3, 237:14, 237:16, 237:23, 238:14, 238:20, 239:4, 248:19, 248:22, 249:3, 255:1, 255:9, 255:12, 255:16, 255:19, 256:4, 256:9, 256:14, 256:17, 257:15, 261:13, 262:2, 266:10, 266:14,	266:16, 280:19, 280:22, 280:24, 281:3, 281:10, 281:15, 281:19, 281:22, 282:21, 286:10, 286:21, 287:3, 287:7, 287:10, 292:19, 292:23, 293:2, 293:7, 293:15, 293:20, 293:23, 294:6, 294:20, 295:16, 296:3, 296:7, 296:16, 296:18, 297:20, 299:3, 299:8, 301:3, 309:7, 310:22, 311:2, 311:5, 312:4 joined [4] - 27:6, 27:10, 39:11, 54:4 Judge [6] - 87:5, 221:2, 221:21, 224:5, 267:3, 294:9 judging [2] - 301:20, 302:4 June [1] - 313:24 JUNGANG [1] - 1:9 Juniper [2] - 135:5, 181:2	99:4, 99:6, 99:7, 99:19, 102:7, 102:21, 102:23, 104:18, 145:4, 150:20, 150:22, 151:14, 155:18, 155:23, 157:4, 157:15, 157:16, 159:14, 170:13, 171:24, 174:9, 174:16, 174:24, 181:19, 182:3, 182:13, 183:10, 183:14, 183:17, 183:18, 184:9, 184:24, 185:9, 185:11, 185:18, 185:19, 186:21, 186:22, 186:23, 191:2, 191:13, 191:19, 192:2, 192:3, 204:11, 204:20, 205:2, 205:4, 205:8, 205:19, 206:2, 206:3, 207:23, 208:9, 208:21, 209:3, 209:14, 209:16, 209:17, 210:1, 227:14, 227:15, 228:5, 228:6, 228:10, 228:11, 228:16, 229:16, 230:6, 231:14, 231:16, 232:3, 232:5, 232:9, 232:11, 232:23, 236:14, 236:15, 239:23, 240:22, 241:18, 243:6, 243:8, 243:12, 243:13, 244:11, 244:13, 244:19, 247:23, 249:18, 250:1, 250:2, 250:9, 250:19, 251:9, 253:23, 253:24, 254:8, 254:19, 257:8, 258:16, 258:17, 259:15, 260:5, 260:7, 260:15, 260:17, 260:20, 260:23, 263:8, 264:7, 264:13, 265:4, 269:23, 271:13, 274:9, 274:14, 290:21, 297:23, 297:24, 298:11, 298:13, 299:4, 299:23, 301:16, 304:24, 305:6, 305:9, 305:14,	305:19, 306:1, 306:13, 306:14, 306:24, 307:11, 307:12, 308:19 labels [100] - 93:8, 144:21, 145:2, 145:19, 148:5, 150:23, 166:1, 168:3, 171:3, 173:22, 175:21, 178:7, 178:8, 178:20, 187:10, 191:2, 194:13, 194:23, 197:12, 200:15, 202:15, 204:9, 204:12, 217:17, 217:18, 217:22, 218:3, 229:16, 230:16, 230:17, 234:1, 236:20, 236:21, 237:10, 239:17, 239:19, 240:7, 240:9, 240:18, 241:23, 242:20, 242:21, 244:7, 244:8, 244:15, 245:24, 246:6, 246:8, 246:10, 246:15, 246:18, 247:1, 247:6, 247:18, 248:5, 248:6, 248:9, 249:7, 249:12, 250:15, 251:1, 251:3, 251:6, 252:4, 252:7, 252:9, 252:13, 252:19, 253:8, 253:12, 253:14, 253:21, 256:21, 257:11, 257:20, 258:2, 258:4, 258:7, 260:10, 271:5, 271:7, 271:8, 271:11, 271:17, 272:3, 272:5, 272:17, 272:18, 272:19, 272:21, 274:10, 290:5, 290:18, 290:19, 299:14, 311:10, 311:15, 311:19 Labels [1] - 271:3 labs [1] - 31:9 laid [6] - 167:2, 183:24, 184:19, 209:22, 242:2, 289:14 landing [2] - 46:14, 46:18 language [9] - 20:14, 131:18, 215:17, 226:15, 239:2, 293:11, 293:16,	296:10, 296:12 laptop [1] - 91:1 large [2] - 100:12, 140:12 largest [2] - 29:4, 297:20 last [29] - 7:20, 8:8, 8:11, 27:8, 27:13, 30:4, 30:22, 42:3, 42:6, 42:8, 81:4, 82:19, 85:15, 101:19, 107:15, 107:16, 114:22, 121:6, 143:18, 144:3, 158:15, 192:22, 216:2, 236:18, 281:4, 287:16, 289:2, 300:21 lastly [1] - 99:9 latest [1] - 269:22 law [18] - 31:10, 36:24, 37:13, 38:15, 38:17, 39:9, 39:13, 39:15, 40:16, 41:10, 41:23, 44:19, 58:1, 60:6, 67:22, 69:20, 258:21, 258:23 Law [1] - 2:2 lawsuit [1] - 14:12 lawyer [8] - 17:24, 37:1, 41:23, 42:1, 81:15, 82:1, 82:4, 259:10 lawyers [6] - 37:14, 37:24, 38:2, 40:5, 40:13 lay [1] - 296:2 layered [1] - 271:5 lazy [2] - 141:5, 171:15 lead [3] - 96:18, 286:4, 287:20 leaked [1] - 193:9 learn [1] - 14:11 least [9] - 55:23, 81:11, 121:6, 122:13, 202:21, 229:18, 233:21, 241:8, 304:6 leave [4] - 27:24, 71:4, 300:10, 301:15 leaving [1] - 74:1 led [1] - 307:7 left [4] - 27:22, 36:6, 39:6, 150:22 legal [15] - 10:13, 16:24, 17:7, 17:15, 17:18, 17:21, 18:1, 58:20, 60:8, 65:2, 78:4, 79:15, 82:3, 83:2, 259:20 legitimacy [2] - 173:5, 303:14
	K			
	keep [6] - 85:5, 196:5, 237:11, 239:8, 271:6, 271:8 keeping [1] - 288:11 Kevin [2] - 2:8, 12:11 key [2] - 40:12, 140:18 kind [11] - 38:11, 50:20, 51:8, 53:24, 128:2, 128:17, 164:6, 174:1, 201:15, 272:10, 272:24 know-how [1] - 103:18 knowing [3] - 177:4, 278:2, 282:3 knowledge [2] - 42:21, 288:24 knows [1] - 218:21 kquigley@choate.com [1] - 2:11			
	L			
	Label [2] - 178:18, 255:23 label [152] - 49:14, 49:16, 49:20, 93:4, 93:10, 94:18, 95:21, 95:24, 96:2, 97:13, 97:19, 97:22, 99:2,			

length [1] - 167:18 Leonard [3] - 1:18, 313:6, 313:21 less [2] - 69:19, 290:14 Letter [2] - 4:5, 210:15 letter [12] - 4:11, 214:11, 215:5, 216:11, 217:2, 217:3, 218:11, 290:7, 291:9, 291:15, 291:17, 292:11 letters [1] - 109:11 letting [1] - 135:3 level [1] - 45:5 leveraging [1] - 179:24 liability [1] - 52:2 liberty [1] - 277:8 license [1] - 5:5 like) [2] - 173:1, 303:11 likelihood [3] - 100:13, 100:19, 101:1 likely [1] - 133:18 limited [3] - 52:1, 132:1, 167:19 LIMITED [1] - 1:13 line [3] - 82:19, 148:11, 221:2 lines [3] - 34:17, 107:20, 262:1 link [1] - 256:18 links [2] - 46:14, 46:22 List [6] - 106:10, 107:11, 109:2, 113:24, 114:1, 115:6 list [48] - 21:6, 47:3, 60:22, 79:20, 100:15, 111:19, 114:19, 114:20, 114:23, 150:7, 150:21, 165:22, 167:1, 167:23, 167:24, 169:10, 169:11, 169:18, 170:8, 170:10, 170:12, 172:14, 173:16, 175:14, 182:5, 184:6, 184:7, 185:24, 186:6, 186:9, 186:10, 187:8, 187:9, 187:14, 187:16, 187:17, 189:7, 189:10, 189:13, 190:17, 192:21, 193:5, 193:6, 193:9, 193:12, 193:19, 194:1, 200:13 listed [26] - 63:12, 64:23, 77:8, 77:12, 77:20, 81:4, 99:15, 109:20, 110:1, 114:8, 114:14,	118:5, 118:10, 118:11, 121:23, 138:13, 150:8, 150:17, 150:18, 150:19, 206:13, 207:13, 263:6, 281:6 listen [1] - 130:24 listening [1] - 215:16 lists [9] - 54:8, 80:9, 110:22, 113:24, 121:19, 122:7, 125:8, 126:7, 235:15 literally [1] - 86:9 litigation [8] - 30:19, 31:16, 32:4, 42:23, 43:2, 74:21, 74:24, 76:16 litigations [1] - 77:5 living [1] - 144:5 LLC [24] - 52:6, 52:16, 56:9, 56:13, 56:16, 57:14, 57:18, 62:3, 62:10, 63:13, 64:2, 64:12, 65:5, 65:8, 65:14, 66:1, 67:11, 67:16, 67:20, 68:9, 68:16, 69:17, 69:18 LLP [6] - 1:20, 2:7, 52:4, 52:6, 52:16, 56:15 locate [1] - 229:22 location [1] - 135:10 log [3] - 95:15, 202:3, 207:2 logic [1] - 49:23 logical [1] - 284:8 logo [38] - 92:7, 93:20, 93:23, 94:21, 95:6, 96:6, 96:18, 96:23, 97:2, 99:15, 129:10, 180:23, 204:7, 206:14, 207:18, 209:1, 209:7, 210:7, 231:1, 231:9, 231:10, 231:14, 231:15, 232:4, 232:16, 233:5, 234:22, 243:2, 243:5, 245:10, 245:11, 245:13, 245:21, 247:19, 249:24, 254:8, 259:3 logos [27] - 91:17, 92:3, 92:17, 93:18, 94:9, 216:5, 216:15, 217:15, 217:16, 218:6, 227:2, 235:15, 235:16, 236:19, 236:21, 237:9, 242:19, 242:21, 242:23, 245:12, 246:4, 248:14, 252:12,	252:24, 253:7, 290:4, 290:10 look [77] - 7:23, 8:1, 8:20, 15:24, 16:17, 23:5, 46:9, 46:11, 47:19, 49:7, 53:5, 56:7, 61:18, 68:18, 82:12, 82:17, 88:13, 94:5, 103:1, 103:11, 103:12, 103:14, 107:15, 108:24, 111:17, 113:3, 117:2, 117:19, 122:12, 125:10, 128:15, 132:2, 135:9, 136:3, 138:1, 140:23, 141:20, 143:14, 143:17, 145:2, 151:11, 155:9, 158:21, 168:20, 170:10, 171:19, 174:10, 175:23, 176:6, 178:7, 180:13, 181:22, 184:17, 188:19, 188:20, 189:11, 208:10, 209:20, 212:24, 215:20, 216:1, 218:14, 245:10, 246:19, 250:17, 251:5, 255:4, 255:13, 271:2, 273:10, 276:19, 277:7, 277:11, 280:11, 286:23, 300:21, 301:5 looked [19] - 45:23, 82:10, 91:10, 98:14, 99:12, 104:10, 111:13, 112:24, 113:23, 122:1, 137:16, 145:3, 145:14, 154:14, 163:20, 205:19, 248:4, 248:6, 252:3 looking [70] - 16:14, 28:4, 30:12, 34:9, 34:10, 38:20, 38:21, 58:4, 64:20, 102:17, 102:21, 122:4, 125:6, 127:23, 128:17, 135:4, 135:20, 137:8, 140:12, 140:24, 143:7, 143:15, 143:16, 144:17, 144:20, 154:3, 157:22, 158:1, 158:13, 159:23, 164:3, 164:7, 166:15, 171:17, 175:24, 178:17,	180:10, 181:13, 181:14, 182:24, 183:2, 183:7, 197:4, 217:24, 232:23, 243:19, 245:1, 247:1, 247:6, 247:23, 248:8, 255:19, 263:19, 263:23, 263:24, 264:2, 264:6, 264:7, 268:6, 268:8, 268:11, 268:13, 269:15, 271:24, 290:18, 304:17, 305:15 looks [13] - 13:11, 13:13, 76:20, 78:7, 78:9, 180:23, 202:1, 205:4, 205:5, 240:20, 258:17, 304:12 love [1] - 167:17 LP [3] - 77:13, 79:8, 80:15 Lunch [1] - 124:21 M M-e-t-h-o-d-e [1] - 289:4 MA [1] - 1:23 machine [2] - 148:9, 148:22 machinery [2] - 201:3, 205:10 madam [1] - 157:9 magnification [1] - 247:17 majority [8] - 140:2, 283:22, 291:3, 308:4, 309:12, 309:15, 310:3, 310:6 manage [1] - 202:13 management [1] - 199:13 manager [2] - 27:10, 27:11 managers [3] - 171:15, 181:8, 304:22 managing [2] - 40:19, 41:1 Mandarin [12] - 117:4, 117:20, 117:23, 118:16, 126:2, 126:12, 221:13, 225:19, 225:21, 225:22, 233:15 manufacture [4] - 29:10, 135:12, 136:13, 136:15 manufactured [3] - 177:11, 208:12, 251:14	manufacturer [4] - 29:5, 274:21, 274:22, 284:9 manufacturers [4] - 253:14, 257:16, 257:23, 258:4 manufacturing [5] - 29:12, 51:19, 144:9, 148:11, 158:7 MARAFao [1] - 1:8 March [1] - 14:13 margin [3] - 179:18, 209:10 margins [1] - 177:24 Marie [3] - 1:18, 313:6, 313:21 mark [10] - 7:5, 14:5, 56:3, 214:4, 221:23, 243:8, 255:1, 261:13, 261:24, 296:4 Mark [2] - 12:12, 12:13 marked [28] - 7:9, 14:8, 15:14, 46:7, 56:5, 61:16, 63:22, 76:10, 107:4, 116:2, 129:5, 210:16, 213:7, 213:8, 213:10, 213:18, 213:21, 214:9, 214:13, 219:15, 222:1, 242:7, 243:6, 255:2, 261:15, 280:3, 291:11, 296:6 marking [1] - 261:21 MARY [1] - 1:22 Mascaro [11] - 18:16, 18:17, 24:5, 32:2, 40:12, 45:3, 68:8, 72:18, 72:21, 83:9, 91:5 Mascaro's [2] - 24:12, 72:13 MASSACHUSETTS [1] - 1:5 Massachusetts [5] - 1:19, 1:21, 2:9, 313:3, 313:9 match [28] - 99:7, 102:8, 104:19, 120:22, 142:1, 153:7, 155:24, 157:4, 157:16, 159:4, 159:15, 171:24, 175:1, 178:14, 178:24, 182:15, 183:4, 185:19, 186:22, 187:16, 192:3, 196:14, 251:22, 265:11, 304:16, 305:9, 305:19, 307:11
--	---	---	--	--

<p>matched [19] - 99:2, 99:4, 99:10, 103:16, 152:19, 152:20, 152:24, 154:8, 154:9, 155:19, 170:16, 176:17, 183:5, 187:22, 191:13, 306:24, 307:1, 308:19, 308:22 matches [13] - 103:8, 103:9, 156:22, 170:12, 185:11, 191:19, 192:24, 203:7, 251:17, 254:8, 254:15, 306:1, 306:14 matching [5] - 146:3, 176:2, 184:24, 249:23, 254:17 materials [2] - 284:16, 285:2 math [1] - 136:23 matter [4] - 50:18, 131:11, 239:7, 277:3 matters [5] - 13:7, 39:20, 39:24, 41:6, 41:7 mbunis@choate.com [1] - 2:10 mean [56] - 10:19, 10:23, 14:24, 28:20, 33:16, 46:17, 51:13, 60:9, 66:20, 73:22, 73:23, 88:18, 94:22, 100:24, 101:3, 134:1, 146:12, 147:15, 151:19, 151:20, 155:2, 155:3, 155:13, 163:6, 163:12, 172:17, 174:3, 174:13, 175:3, 199:10, 201:2, 201:19, 215:6, 223:20, 231:9, 233:12, 233:20, 247:10, 251:12, 251:13, 254:3, 254:4, 270:24, 276:12, 279:7, 279:9, 288:12, 294:22, 295:13, 297:2, 299:16, 299:24, 300:3, 302:10, 305:5, 305:12 meaning [1] - 236:1 meaningful [2] - 241:3, 241:13 meaningless [1] - 302:6 means [15] - 6:5,</p>	<p>120:5, 139:19, 147:20, 152:8, 155:4, 155:10, 163:8, 196:11, 233:19, 263:18, 273:13, 273:20, 275:2, 300:11 meant [2] - 155:11, 232:4 medication [1] - 6:17 meeting [1] - 308:10 MEIXIANG [1] - 1:9 member [6] - 22:19, 278:8, 278:11, 278:20, 278:22, 278:23 members [6] - 22:13, 22:14, 22:17, 46:16, 46:21, 64:18 memory [2] - 23:13, 301:11 mention [8] - 34:24, 35:7, 35:22, 36:19, 68:15, 68:24, 69:5, 108:14 mentioned [19] - 33:11, 33:20, 34:2, 35:11, 37:5, 39:16, 40:1, 40:5, 43:4, 45:9, 67:10, 73:1, 80:2, 82:16, 145:22, 151:24, 195:6, 204:6, 233:14 mere [10] - 97:24, 98:10, 99:24, 160:4, 160:12, 174:2, 265:18, 267:7, 267:24, 305:10 merely [1] - 292:4 met [6] - 189:6, 190:19, 203:19, 206:12, 210:9, 309:4 Methode [1] - 289:1 methode [1] - 289:4 methodology [37] - 89:15, 92:13, 92:17, 94:1, 95:18, 97:6, 97:16, 97:17, 102:16, 103:23, 104:9, 104:12, 112:21, 156:19, 157:2, 171:13, 172:4, 173:23, 204:23, 205:4, 205:22, 236:11, 240:15, 240:18, 242:1, 242:2, 244:11, 244:23, 245:8, 252:1, 253:13, 289:13, 299:19, 304:12, 310:19, 310:20, 311:24</p>	<p>Methods [1] - 243:23 Michael [11] - 2:7, 12:11, 18:20, 19:16, 24:20, 85:1, 85:23, 219:21, 238:15, 267:2, 287:3 microscope [2] - 247:14, 247:15 middle [5] - 16:19, 78:11, 231:24, 232:3, 297:21 might [12] - 49:15, 69:10, 76:3, 89:22, 174:4, 174:5, 202:22, 210:1, 210:2, 273:23, 277:17 Mike [1] - 182:20 mind [4] - 55:21, 110:14, 155:2, 288:11 mine [1] - 131:20 minute [6] - 98:17, 101:15, 152:3, 153:13, 248:21, 291:8 minuteness [1] - 181:7 minutes [2] - 162:18, 309:8 mischaracterizes [1] - 52:21 mislead [2] - 173:3, 303:12 mismatch [1] - 104:23 missing [5] - 8:22, 47:8, 47:13, 255:5, 255:7 misspelled [2] - 47:6, 47:12 misstates [15] - 99:21, 182:7, 182:18, 182:22, 184:15, 198:19, 202:11, 203:11, 232:18, 254:10, 264:18, 270:15, 290:22, 303:20, 304:9 mistake [8] - 181:18, 181:19, 182:2, 182:12, 183:15, 183:18, 184:10, 201:12 mistaken [3] - 108:22, 286:4, 287:20 mistakes [5] - 172:3, 181:12, 182:10, 185:7 mobile [1] - 50:3 mode [2] - 48:13 Modular [2] - 129:5, 243:20 module [2] - 132:8, 243:12</p>	<p>Modules [3] - 4:4, 129:10, 261:4 modules [1] - 261:5 money [1] - 177:8 month [2] - 55:23, 55:24 months [1] - 42:10 morning [3] - 5:10, 5:11, 70:19 most [8] - 118:17, 131:12, 133:18, 177:18, 199:18, 229:18, 233:21, 280:6 motivation [2] - 200:6, 209:10 motives [1] - 200:8 mouth [2] - 86:9, 266:19 moved [1] - 176:21 moving [1] - 146:21 MR [598] - 5:9, 7:22, 10:1, 10:11, 10:12, 10:17, 10:20, 12:8, 12:21, 13:9, 13:11, 13:14, 13:15, 13:17, 14:2, 14:5, 15:20, 16:14, 16:15, 17:10, 17:19, 17:20, 17:23, 18:3, 18:21, 19:1, 19:6, 19:10, 19:12, 19:19, 20:4, 20:7, 20:9, 20:11, 20:20, 20:22, 20:24, 21:2, 21:3, 23:19, 24:19, 24:20, 24:21, 24:24, 25:9, 30:20, 30:23, 32:20, 34:8, 34:10, 41:8, 46:2, 46:4, 46:9, 52:7, 52:13, 52:21, 53:14, 53:16, 56:3, 58:7, 58:9, 58:19, 60:7, 61:20, 65:1, 66:5, 66:7, 69:13, 70:5, 70:7, 70:10, 70:18, 71:6, 71:15, 71:19, 71:21, 72:1, 72:3, 72:5, 74:22, 76:4, 76:11, 76:12, 76:19, 76:22, 76:23, 77:2, 77:6, 78:7, 78:14, 79:14, 81:13, 81:18, 81:19, 81:20, 81:21, 82:9, 83:1, 83:20, 83:21, 83:23, 84:1, 84:2, 84:3, 84:5, 84:7, 84:10, 84:19, 85:1, 85:3, 85:5, 85:17, 85:21, 85:23, 86:11, 86:15, 86:17, 86:18, 86:22, 87:7, 87:16, 87:17, 87:18, 87:19,</p>	<p>87:21, 88:1, 88:5, 89:8, 89:11, 89:24, 90:16, 92:9, 95:9, 95:17, 96:10, 96:11, 96:12, 97:4, 97:7, 97:10, 98:4, 99:21, 102:9, 102:12, 107:3, 107:6, 107:7, 107:8, 111:16, 112:10, 112:16, 112:18, 113:10, 113:12, 113:15, 115:20, 117:12, 117:13, 117:15, 117:20, 117:22, 117:24, 119:10, 119:14, 119:21, 120:12, 123:1, 123:4, 123:7, 123:13, 123:15, 123:16, 123:19, 123:20, 123:22, 123:23, 124:1, 124:3, 124:14, 124:17, 125:2, 125:4, 125:14, 125:17, 126:8, 129:1, 129:12, 129:14, 129:15, 129:17, 129:18, 129:20, 129:21, 129:22, 130:1, 130:3, 130:4, 130:8, 130:10, 130:13, 130:18, 130:22, 130:24, 131:4, 131:5, 131:9, 131:10, 131:11, 131:22, 132:11, 132:13, 132:23, 136:22, 136:24, 137:4, 142:8, 142:11, 142:13, 142:17, 142:18, 143:1, 143:3, 146:17, 146:20, 146:22, 147:13, 147:16, 147:18, 147:20, 147:24, 149:19, 151:8, 159:7, 159:10, 161:7, 161:13, 162:19, 162:21, 162:22, 162:23, 162:24, 163:2, 163:22, 168:6, 171:7, 182:7, 182:18, 182:22, 184:13, 184:14, 184:15, 186:3, 186:15, 186:17, 190:8, 190:9, 190:10, 190:11,</p>
--	--	---	--	---

190:12, 190:15, 193:21, 196:17, 198:19, 202:11, 202:17, 202:20, 202:24, 203:1, 203:3, 203:11, 208:3, 210:20, 210:23, 211:2, 211:4, 211:6, 211:7, 211:11, 211:13, 211:15, 211:16, 211:20, 211:21, 211:22, 211:24, 212:2, 212:3, 212:5, 212:6, 212:7, 212:8, 212:10, 212:11, 212:12, 212:18, 212:19, 212:22, 212:23, 213:3, 213:4, 213:5, 213:11, 213:13, 213:15, 213:16, 213:19, 213:20, 213:22, 213:23, 213:24, 214:2, 214:5, 214:7, 214:10, 214:12, 214:15, 214:16, 214:18, 214:19, 214:21, 214:24, 215:1, 216:17, 216:19, 216:20, 218:7, 218:18, 218:20, 218:22, 219:2, 219:4, 219:7, 219:19, 219:21, 219:22, 219:23, 219:24, 220:1, 220:6, 220:7, 220:8, 220:10, 220:11, 220:16, 220:17, 220:18, 220:22, 220:23, 221:1, 221:8, 221:9, 221:23, 222:3, 222:5, 222:7, 222:9, 222:14, 222:17, 222:19, 223:5, 223:8, 223:11, 223:12, 223:13, 223:16, 223:18, 223:19, 223:22, 223:23, 224:7, 224:13, 225:9, 225:10, 225:16, 225:22, 225:23, 226:1, 226:2, 226:4, 226:5, 226:6, 226:7, 226:9, 226:11, 226:13, 226:18, 226:20, 227:4, 227:6, 227:8, 227:11, 227:12,	227:13, 227:17, 227:19, 227:21, 227:24, 228:7, 228:17, 228:20, 228:23, 228:24, 229:2, 229:7, 229:12, 229:13, 229:21, 230:8, 230:10, 232:13, 232:18, 233:7, 233:9, 234:5, 234:12, 234:24, 235:2, 235:8, 235:11, 235:21, 236:1, 236:3, 236:5, 236:7, 236:20, 237:11, 237:14, 237:15, 237:16, 237:19, 237:23, 238:11, 238:14, 238:19, 238:20, 238:21, 239:4, 239:6, 241:15, 242:9, 242:11, 243:17, 246:17, 248:19, 248:22, 249:3, 252:20, 253:8, 253:23, 254:2, 254:10, 254:20, 254:22, 255:1, 255:9, 255:11, 255:12, 255:14, 255:16, 255:18, 255:19, 256:1, 256:4, 256:7, 256:9, 256:12, 256:13, 256:14, 256:15, 256:17, 257:12, 257:15, 259:6, 259:16, 261:8, 261:13, 261:20, 262:2, 262:19, 264:16, 264:18, 266:7, 266:10, 266:12, 266:14, 266:15, 266:16, 267:19, 270:15, 273:22, 274:23, 275:21, 276:9, 276:16, 277:5, 277:23, 279:19, 280:18, 280:19, 280:21, 280:22, 280:23, 280:24, 281:3, 281:8, 281:10, 281:13, 281:15, 281:17, 281:19, 281:21, 281:22, 281:24, 282:10, 282:19, 282:21, 283:3, 283:7, 283:11, 285:10,	285:15, 286:5, 286:7, 286:9, 286:10, 286:11, 286:17, 286:19, 286:21, 286:22, 287:1, 287:3, 287:5, 287:7, 287:8, 287:10, 288:2, 288:4, 288:8, 290:22, 292:8, 292:16, 292:19, 292:20, 292:23, 293:1, 293:2, 293:5, 293:7, 293:8, 293:15, 293:17, 293:20, 293:21, 293:23, 294:2, 294:6, 294:7, 294:20, 294:21, 295:15, 295:16, 295:18, 296:3, 296:7, 296:14, 296:16, 296:17, 296:18, 296:20, 297:1, 297:19, 297:20, 298:21, 299:1, 299:3, 299:7, 299:8, 299:10, 299:18, 300:1, 301:1, 301:3, 303:20, 304:9, 308:12, 308:14, 309:7, 310:13, 310:14, 310:22, 311:2, 311:3, 311:5, 311:7, 312:3, 312:4 multipage [4] - 131:6, 220:2, 220:19, 280:5 multiple [22] - 26:23, 26:24, 40:11, 49:6, 66:12, 94:5, 98:15, 103:21, 112:22, 112:23, 134:24, 140:23, 144:17, 156:14, 158:2, 159:23, 171:19, 181:22, 192:15, 240:20, 268:6, 304:12 multiprong [1] - 264:5 must [3] - 157:4, 173:10, 175:9	117:9, 117:11, 118:3, 118:10, 118:11, 118:24, 119:7, 119:8, 119:19, 120:4, 120:6, 121:12, 122:7, 122:17, 125:9, 126:7, 126:15, 132:10, 132:15, 133:6, 133:15, 134:14, 135:7, 135:11, 135:15, 135:16 named [2] - 14:22, 47:11 names [2] - 38:21, 40:8 nature [9] - 48:19, 51:16, 144:24, 208:20, 265:7, 273:21, 275:15, 276:2, 285:18 nearly [1] - 32:12 necessarily [17] - 45:18, 92:19, 109:21, 118:13, 133:22, 180:19, 181:6, 198:7, 199:10, 202:7, 231:3, 250:21, 274:11, 289:7, 302:9, 305:5, 305:11 necessary [1] - 181:3 need [20] - 6:23, 51:9, 95:2, 106:12, 124:16, 124:17, 131:2, 201:19, 212:8, 223:9, 224:4, 247:13, 247:15, 248:10, 256:15, 267:4, 273:7, 298:17, 299:5 needs [5] - 117:16, 211:8, 211:12, 212:3, 300:4 Nelson [34] - 22:17, 38:23, 40:23, 44:9, 44:10, 44:17, 45:9, 60:19, 61:9, 64:17, 67:18, 68:4, 69:3, 69:23, 74:20, 75:5, 75:14, 75:15, 76:15, 77:4, 77:8, 77:12, 77:20, 78:12, 79:2, 79:7, 79:11, 81:4, 81:9, 82:11, 82:14, 82:18, 82:21, 83:5 net [1] - 302:13 networking [4] - 133:20, 135:1, 288:20, 302:13 never [7] - 43:4, 102:1, 104:22, 119:1,	144:11, 205:4, 217:9 new [13] - 188:11, 208:8, 208:10, 209:14, 209:17, 243:2, 243:5, 243:8, 243:12, 243:13, 250:13, 250:17, 251:5 New [6] - 2:4, 2:14, 72:16, 72:17 next [48] - 3:24, 8:20, 16:17, 25:3, 46:2, 56:2, 61:13, 63:19, 77:16, 78:1, 79:5, 88:13, 99:11, 103:17, 107:3, 107:16, 108:3, 108:24, 109:13, 109:15, 109:17, 114:7, 114:21, 114:22, 115:17, 121:5, 123:1, 123:6, 124:18, 126:17, 128:24, 146:4, 146:13, 147:8, 147:17, 148:20, 176:24, 178:4, 183:19, 192:24, 195:1, 205:12, 210:12, 211:16, 228:8, 269:22, 285:12, 300:8 Next [1] - 77:17 NI [2] - 1:9, 1:10 nice [4] - 92:18, 94:11, 205:2, 242:3 night [1] - 8:11 NO [1] - 1:5 nomenclature [6] - 105:9, 105:16, 113:13, 113:17, 113:18, 122:3 non [2] - 40:5, 40:13 non-lawyers [2] - 40:5, 40:13 none [4] - 8:18, 8:19, 176:16, 309:1 nonlegal [2] - 38:1, 38:2 Norfolk [1] - 313:4 Nos [2] - 238:4, 296:11 not-certified [1] - 297:6 notarial [1] - 313:17 Notary [3] - 1:19, 5:6, 313:8 note [1] - 19:6 noted [6] - 70:19, 105:13, 105:18, 105:23, 106:3, 106:4 nothing [8] - 6:13, 33:13, 69:6, 104:12, 131:6, 159:18, 260:14, 274:13
--	--	--	--	--

<p>noticed [1] - 20:11 November [3] - 61:22, 62:3, 62:9 number [191] - 22:21, 22:22, 22:23, 22:24, 23:1, 23:4, 23:10, 23:13, 23:18, 23:23, 24:18, 24:22, 25:6, 25:8, 38:5, 38:9, 38:12, 38:13, 47:3, 61:2, 76:6, 98:2, 98:11, 99:2, 99:3, 99:4, 99:5, 99:6, 99:7, 100:2, 103:6, 103:7, 103:8, 103:10, 103:20, 103:24, 104:18, 104:20, 105:9, 105:11, 105:12, 106:21, 107:19, 110:24, 114:17, 115:6, 120:21, 120:22, 122:2, 122:12, 122:15, 134:2, 144:7, 146:4, 146:5, 146:6, 146:7, 146:23, 147:9, 147:10, 147:12, 147:15, 147:19, 147:21, 148:5, 148:8, 148:14, 152:6, 154:7, 154:11, 155:18, 155:19, 155:23, 155:24, 156:22, 157:4, 157:5, 157:15, 157:16, 159:3, 159:4, 159:6, 159:14, 159:15, 160:6, 160:9, 160:14, 161:11, 162:13, 163:13, 165:23, 169:4, 169:10, 170:12, 170:13, 171:24, 172:1, 174:8, 174:15, 174:24, 175:1, 175:2, 175:4, 176:17, 176:18, 182:13, 182:14, 185:8, 185:9, 185:10, 185:11, 185:17, 185:18, 185:19, 186:21, 186:22, 186:23, 187:4, 188:13, 188:15, 188:24, 189:18, 190:3, 190:7, 191:13, 191:14, 191:18, 191:19, 192:2, 192:3, 192:15, 197:11, 200:24,</p>	<p>201:1, 205:7, 240:22, 254:8, 257:9, 257:18, 263:7, 263:9, 263:15, 263:19, 263:23, 263:24, 264:2, 264:7, 264:10, 264:14, 265:3, 265:5, 265:9, 265:10, 265:20, 266:1, 266:5, 267:9, 267:11, 268:3, 268:14, 268:20, 269:19, 271:20, 272:2, 285:22, 303:1, 304:23, 305:8, 305:9, 305:13, 305:19, 305:20, 306:1, 306:2, 306:13, 306:14, 306:24, 307:1, 307:2, 307:6, 307:11, 307:12, 307:16, 308:2, 308:19, 308:22, 309:1 numbering [1] - 142:21 numbers [149] - 8:24, 9:1, 99:19, 100:11, 100:16, 100:20, 101:2, 101:5, 101:12, 101:22, 102:4, 102:7, 105:13, 105:24, 108:6, 108:16, 109:8, 110:6, 110:11, 111:1, 111:21, 121:7, 121:10, 138:3, 138:8, 139:9, 140:17, 141:13, 141:14, 144:13, 150:18, 150:19, 150:20, 150:21, 158:6, 158:11, 158:16, 160:17, 160:21, 160:23, 161:4, 161:24, 162:2, 162:6, 163:4, 163:20, 165:11, 165:22, 166:21, 167:3, 167:6, 168:1, 168:2, 168:18, 168:21, 169:12, 169:19, 169:21, 171:3, 171:4, 171:5, 171:22, 172:13, 172:24, 173:1, 173:10, 173:15, 173:16, 173:17, 173:18, 173:21, 173:22, 174:2, 174:5, 174:11,</p>	<p>175:10, 175:12, 175:13, 175:16, 175:18, 175:19, 178:8, 178:14, 178:24, 182:11, 182:15, 183:16, 184:6, 184:7, 184:8, 184:24, 185:1, 185:24, 186:6, 186:7, 186:11, 187:8, 187:10, 187:11, 187:14, 187:16, 187:18, 187:21, 187:22, 188:13, 189:8, 189:10, 189:11, 191:23, 192:20, 192:21, 194:10, 195:16, 198:2, 198:10, 198:11, 198:13, 199:20, 199:22, 200:4, 200:13, 200:18, 200:21, 202:14, 203:7, 203:24, 225:4, 227:22, 239:13, 249:23, 251:18, 251:23, 254:17, 258:1, 263:5, 264:22, 267:14, 268:10, 268:11, 270:23, 272:1, 303:10, 303:11, 304:1 numerous [2] - 105:5, 288:17</p>	<p>113:12, 113:15, 117:13, 125:14, 125:17, 132:11, 132:23, 149:19, 159:10, 161:7, 161:13, 163:22, 168:6, 171:7, 182:7, 182:18, 184:13, 184:15, 186:3, 186:17, 196:17, 198:19, 202:11, 203:11, 216:17, 218:7, 225:16, 226:1, 226:2, 228:17, 228:18, 228:21, 229:8, 229:21, 230:8, 232:18, 233:7, 233:9, 234:12, 235:12, 235:21, 236:5, 236:7, 237:11, 237:16, 238:14, 238:15, 239:5, 239:7, 241:15, 252:20, 254:2, 254:10, 259:6, 261:8, 264:16, 264:18, 266:7, 267:19, 270:15, 274:23, 275:21, 276:9, 276:16, 277:5, 277:23, 288:2, 288:4, 290:22, 292:16, 293:3, 294:10, 295:15, 295:18, 296:8, 298:21, 299:18, 300:1, 303:20, 304:9, 308:12, 310:13, 310:14 objectionable [1] - 295:10 objections [8] - 10:21, 25:4, 69:13, 85:6, 238:16, 266:18, 266:23, 296:15 objective [1] - 189:20 objects [2] - 16:20, 25:11 obligations [1] - 72:4 observation [8] - 113:20, 120:10, 152:13, 152:15, 153:2, 153:15, 164:18 observations [8] - 9:8, 239:21, 241:7, 247:1, 247:6, 247:11, 247:22, 248:9 observe [1] - 247:18 observed [9] - 128:1,</p>	<p>140:4, 150:15, 154:9, 160:21, 168:18, 170:3, 247:22, 251:7 obtain [1] - 87:20 obtained [3] - 169:9, 292:1, 294:18 obtains [1] - 167:23 obvious [1] - 201:6 obviously [2] - 126:13, 222:21 occurs [1] - 213:5 OCR [1] - 49:17 ODM [8] - 114:13, 114:14, 115:10, 115:12, 135:12, 288:23, 289:4 ODMs [5] - 288:17, 288:21, 288:22, 289:6 OEM [6] - 104:22, 173:9, 178:7, 208:13, 251:15, 289:8 OEMs [1] - 302:19 OF [1] - 1:5 offer [1] - 29:9 offered [3] - 29:13, 66:19, 67:1 offering [3] - 39:17, 39:18, 68:20 offers [1] - 66:23 office [18] - 22:21, 22:22, 22:23, 23:3, 23:9, 23:13, 25:7, 28:9, 28:10, 28:12, 28:13, 28:14, 43:9, 65:10, 65:11, 72:10, 72:13, 72:14 Office [1] - 238:1 officer [10] - 22:11, 29:17, 44:16, 44:17, 45:14, 45:17, 68:5, 68:6, 68:7 officers [3] - 59:23, 67:15, 67:17 offices [3] - 1:20, 43:7, 72:8 official [2] - 63:6, 291:24 often [1] - 263:6 old [2] - 243:3, 250:23 one [137] - 8:5, 9:1, 14:21, 15:9, 16:12, 18:16, 19:15, 30:12, 33:5, 40:2, 40:4, 47:8, 57:13, 58:13, 61:5, 63:1, 63:20, 65:19, 66:19, 75:12, 76:13, 77:18, 79:5, 81:4, 81:11, 82:15, 90:12, 90:23, 97:12, 97:20, 97:24, 98:7,</p>
		O		
		<p>oath [4] - 5:23, 6:1, 6:4, 6:8 object [8] - 10:1, 10:20, 81:13, 202:18, 217:11, 282:1, 292:17, 310:3 objected [1] - 226:11 objecting [3] - 294:3, 296:20, 296:21 Objection [1] - 126:8 objection [123] - 16:19, 17:10, 18:3, 23:19, 24:19, 25:1, 25:3, 25:13, 32:20, 52:7, 52:13, 52:21, 58:7, 58:19, 60:7, 65:1, 79:14, 81:20, 82:10, 83:1, 83:20, 84:10, 85:9, 85:11, 85:12, 85:24, 86:6, 88:1, 89:11, 92:9, 95:9, 95:17, 97:4, 99:21, 102:12, 111:16, 112:10, 113:10,</p>		

<p>98:8, 98:11, 99:1, 100:1, 100:17, 100:20, 103:11, 105:7, 105:10, 108:3, 109:10, 109:13, 112:21, 113:4, 114:22, 117:7, 117:18, 122:7, 127:8, 128:7, 131:1, 140:9, 141:8, 143:15, 144:14, 144:19, 145:4, 147:4, 156:16, 157:1, 158:16, 158:21, 160:1, 160:5, 160:13, 161:12, 164:1, 165:9, 166:14, 172:3, 176:20, 179:8, 185:17, 187:6, 188:19, 191:5, 191:10, 191:12, 192:9, 192:12, 192:22, 194:16, 199:17, 199:21, 202:5, 211:1, 211:5, 211:19, 223:22, 229:24, 243:3, 243:19, 247:19, 248:11, 249:16, 257:24, 261:12, 262:15, 263:21, 265:19, 266:4, 267:7, 267:24, 271:1, 276:20, 276:21, 277:9, 278:5, 279:2, 284:6, 286:10, 286:24, 287:5, 288:17, 289:3, 291:6, 291:13, 293:18, 296:3, 304:13, 306:6</p> <p>One [2] - 2:13, 65:12</p> <p>ones [6] - 39:1, 153:6, 156:5, 163:20, 191:8</p> <p>online [1] - 23:14</p> <p>operating [4] - 29:17, 44:16, 45:14, 68:6</p> <p>operation [7] - 136:10, 139:21, 139:23, 142:5, 142:7, 142:15, 265:15</p> <p>operations [1] - 144:9</p> <p>opinion [28] - 10:5, 10:6, 10:8, 11:10, 11:19, 78:5, 92:3, 93:23, 100:23, 200:10, 245:21, 246:14, 260:11, 260:23, 261:1, 261:10, 266:2, 267:22, 277:3,</p>	<p>285:21, 285:23, 286:18, 287:24, 288:12, 288:13, 309:14, 310:6, 310:12</p> <p>Opinions [1] - 9:3</p> <p>opinions [3] - 9:22, 127:2, 252:6</p> <p>opportunities [1] - 66:14</p> <p>opportunity [9] - 28:3, 28:5, 28:6, 66:13, 69:10, 221:7, 221:16, 221:18, 269:10</p> <p>optic [1] - 242:22</p> <p>Optical [5] - 4:4, 129:5, 129:10, 243:20, 261:4</p> <p>optical [4] - 49:17, 132:8, 243:15, 261:4</p> <p>order [5] - 20:15, 48:9, 92:11, 273:8, 306:8</p> <p>organization [3] - 278:15, 279:16, 279:18</p> <p>Organization [5] - 3:17, 56:5, 56:9, 56:20, 57:5</p> <p>organizations [2] - 278:9, 279:2</p> <p>organized [2] - 181:11, 199:14</p> <p>origin [1] - 294:16</p> <p>original [10] - 10:24, 191:22, 192:21, 194:1, 195:16, 250:18, 250:19, 274:21, 298:3, 300:14</p> <p>originally [3] - 118:15, 215:5, 250:24</p> <p>originated [2] - 233:15, 284:10</p> <p>Ortiz [2] - 73:19, 74:4</p> <p>otherwise [2] - 45:4, 105:17</p> <p>outlayed [1] - 168:24</p> <p>outlined [1] - 100:5</p> <p>outlines [1] - 183:1</p> <p>outrage [1] - 220:1</p> <p>outside [21] - 13:5, 39:4, 39:18, 75:1, 75:2, 75:20, 75:21, 76:15, 77:8, 77:20, 78:18, 79:12, 82:15, 116:19, 140:8, 161:5, 165:7, 298:2, 298:7, 298:10, 298:12</p> <p>outsource [1] - 52:9</p> <p>overall [5] - 112:13, 138:3, 138:8,</p>	<p>141:15, 154:7</p> <p>oversight [6] - 35:3, 35:8, 35:22, 36:10, 112:12, 114:6</p> <p>overt [3] - 271:6, 273:1, 274:8</p> <p>overwritten [1] - 300:20</p> <p>own [11] - 89:15, 222:24, 224:17, 235:24, 237:3, 275:19, 276:2, 277:13, 277:20, 292:23, 310:16</p> <p>owned [2] - 60:6, 60:9</p> <p>owner [3] - 284:16, 285:7, 285:17</p>	<p>215:20, 216:2, 217:13, 221:17, 227:9, 227:10, 227:11, 227:13, 227:18, 227:19, 227:21, 227:22, 227:24, 228:3, 228:8, 229:15, 229:23, 231:22, 231:23, 243:4, 243:5, 243:18, 255:22, 256:20, 256:24, 262:19, 269:13, 269:14, 270:22, 270:23, 270:24, 273:10, 273:17, 274:7, 280:10, 284:6, 287:16, 291:12, 291:13, 297:16, 297:20, 300:8, 301:6</p> <p>Page [3] - 3:2, 3:8, 4:2</p> <p>pages [12] - 46:14, 46:22, 46:23, 107:9, 211:18, 213:1, 262:17, 280:10, 280:11, 282:8, 283:15</p> <p>PAGES [1] - 1:2</p> <p>paid [5] - 62:17, 62:19, 73:7, 73:10, 73:12</p> <p>pain [3] - 156:24, 181:6, 201:17</p> <p>pains [3] - 174:7, 180:5, 202:4</p> <p>Pannsylvania [1] - 2:13</p> <p>paper [8] - 78:15, 81:15, 225:6, 267:10, 267:12, 268:22, 269:1, 269:11</p> <p>Paragraph [54] - 11:24, 14:14, 21:5, 21:10, 28:15, 33:20, 90:2, 90:14, 97:23, 98:20, 99:24, 100:8, 101:17, 104:14, 104:16, 104:24, 105:4, 106:5, 106:11, 110:1, 110:5, 110:21, 111:18, 112:23, 114:8, 121:19, 125:11, 136:4, 142:18, 153:18, 158:13, 160:7, 172:18, 172:19, 175:6, 177:17, 184:20, 184:21, 184:22, 196:7, 206:2, 206:11, 207:1, 207:13, 210:9, 230:3,</p>	<p>246:19, 251:17, 254:16, 265:17, 267:6, 303:5, 307:10, 308:11</p> <p>paragraph [33] - 18:9, 21:18, 30:4, 90:16, 90:18, 98:18, 105:20, 106:14, 108:19, 153:19, 154:15, 178:16, 195:24, 216:1, 228:4, 229:23, 230:15, 246:23, 262:24, 271:3, 273:12, 273:16, 284:4, 284:5, 285:12, 285:13, 286:8, 286:23, 287:16, 297:21, 301:7, 301:23, 305:18</p> <p>paramount [1] - 33:2</p> <p>part [37] - 8:2, 29:9, 51:18, 51:19, 54:17, 54:22, 55:1, 55:12, 55:15, 75:6, 76:24, 114:6, 114:17, 129:7, 130:12, 131:2, 131:8, 134:2, 150:11, 150:12, 152:18, 173:1, 211:5, 217:1, 224:21, 225:1, 226:22, 253:12, 253:21, 254:1, 254:5, 257:4, 268:24, 287:12, 302:24, 303:11, 304:1</p> <p>Part [5] - 9:3, 21:4, 25:19, 32:6, 33:12</p> <p>part-time [5] - 54:17, 54:22, 55:1, 55:12, 55:15</p> <p>particular [13] - 103:23, 105:22, 112:2, 131:1, 169:23, 188:21, 194:9, 211:1, 220:24, 265:17, 281:9, 281:11, 297:17</p> <p>particularly [4] - 221:7, 221:12, 286:1, 287:13</p> <p>parties [1] - 39:10</p> <p>partner [6] - 40:18, 40:19, 41:1, 57:3, 57:20, 68:14</p> <p>partnered [2] - 28:17, 28:21</p> <p>partners [5] - 44:11, 59:22, 61:2, 61:7, 70:1</p>
---	---	---	---	--

party [2] - 277:21, 284:19 pass [2] - 298:16, 300:12 passage [1] - 262:15 paste [1] - 100:11 pasted [1] - 298:1 Paul [4] - 2:13, 73:19, 74:4, 215:3 Pedigree [114] - 21:12, 21:14, 21:22, 21:23, 22:13, 22:15, 22:16, 22:23, 23:7, 23:13, 24:1, 24:3, 24:4, 24:7, 24:13, 24:15, 25:7, 32:9, 43:22, 44:1, 44:3, 44:6, 44:15, 44:19, 44:23, 45:1, 45:23, 47:22, 50:10, 52:1, 52:16, 52:24, 53:6, 53:13, 53:22, 53:23, 54:1, 54:4, 54:8, 54:14, 54:17, 54:19, 54:22, 55:10, 56:9, 56:13, 57:14, 57:18, 59:13, 59:16, 59:19, 59:21, 59:24, 60:1, 60:4, 60:13, 60:16, 61:1, 61:4, 61:6, 61:8, 62:3, 62:6, 62:8, 62:9, 62:15, 62:16, 62:20, 62:24, 63:8, 63:13, 64:2, 64:12, 65:4, 65:7, 65:11, 65:13, 65:14, 65:24, 66:13, 66:16, 66:23, 67:2, 67:8, 67:9, 67:11, 67:16, 67:19, 67:20, 68:9, 68:15, 68:21, 68:24, 69:17, 69:18, 70:3, 72:7, 73:2, 73:6, 73:7, 74:14, 74:15, 74:16, 74:17, 74:18, 74:19, 83:15, 83:18, 84:8, 116:14, 278:11 Pedigree's [3] - 23:3, 23:9, 31:21 pen [2] - 130:7, 130:8 pending [2] - 7:1, 124:7 people [3] - 26:18, 40:6, 179:23 per [2] - 31:22, 32:1 perceived [1] - 261:10 percent [2] - 60:13, 199:18 perfectly [2] - 100:21, 101:4 performed [1] - 18:10 perhaps [1] - 23:15 period [5] - 54:21,	55:11, 205:20, 273:3, 311:20 perjury [1] - 6:9 person [12] - 12:6, 45:4, 56:18, 63:13, 64:22, 204:14, 259:2, 259:4, 259:19, 277:1, 283:23, 297:15 personal [1] - 141:3 perspective [4] - 41:21, 166:24, 259:20, 268:12 phone [18] - 22:21, 22:22, 22:24, 23:1, 23:3, 23:15, 23:18, 23:23, 24:18, 25:6, 25:7, 47:3, 47:18, 47:20, 49:9, 50:3, 50:11, 193:22 pick [2] - 141:8, 169:3 picks [1] - 134:3 picture [2] - 47:20, 118:9 pictures [3] - 90:13, 90:24, 91:3 piece [1] - 78:15 pieces [3] - 49:3, 49:24, 81:15 pile [1] - 294:22 Place [2] - 1:20, 2:8 place [5] - 144:10, 144:11, 158:8, 158:9, 310:19 placed [1] - 283:1 places [3] - 132:6, 201:21, 231:15 plaintiff [2] - 20:5, 291:16 plaintiffs [3] - 9:9, 215:4, 225:2 Plaintiffs [1] - 1:10 plaintiffs [10] - 1:16, 2:6, 5:13, 16:5, 16:6, 16:8, 16:13, 289:22, 290:16, 309:11 Plaintiffs' [4] - 3:13, 15:13, 15:18, 238:1 plaintiffs' [1] - 239:13 plane' [1] - 247:17 plans [1] - 69:9 platform [1] - 48:7 players [1] - 288:23 Plaza [1] - 2:13 plenty [1] - 294:19 plug [2] - 134:17, 134:20 plugged [1] - 302:15 plus [1] - 165:4 point [86] - 14:2, 66:8, 70:11, 92:18, 92:21, 92:24, 93:2, 93:5, 94:10, 97:21, 98:17,	101:14, 102:17, 103:11, 110:2, 112:22, 113:7, 114:7, 118:2, 120:16, 120:17, 121:3, 121:11, 121:13, 136:7, 140:18, 140:22, 142:16, 143:7, 143:15, 144:15, 144:19, 145:13, 145:15, 145:17, 145:19, 145:24, 148:2, 149:6, 150:6, 152:4, 153:14, 155:17, 156:16, 157:3, 157:14, 157:21, 158:1, 158:21, 158:22, 159:18, 160:2, 164:5, 166:6, 172:13, 174:4, 174:11, 188:9, 188:19, 188:21, 188:22, 189:24, 192:1, 197:11, 204:16, 205:1, 205:16, 211:20, 220:24, 229:24, 232:24, 233:10, 242:4, 244:15, 248:13, 251:4, 263:20, 269:8, 271:10, 281:13, 281:16, 297:2, 304:14, 304:15, 307:9 Point [29] - 28:8, 28:16, 28:23, 29:17, 32:8, 39:6, 73:15, 73:24, 74:8, 108:20, 110:5, 110:24, 116:8, 119:22, 122:1, 122:5, 136:4, 136:5, 145:22, 147:6, 172:20, 178:5, 186:2, 186:13, 186:19, 187:24, 228:9, 305:7, 305:8 pointed [5] - 79:18, 104:5, 125:21, 224:16, 240:21 pointing [2] - 117:17, 232:2 points [41] - 49:6, 94:5, 98:15, 99:13, 99:18, 104:9, 105:1, 112:22, 112:24, 120:9, 121:22, 140:23, 141:16, 144:17, 145:11, 158:2, 158:24,	159:23, 164:1, 166:15, 171:17, 171:20, 175:23, 181:23, 184:17, 184:18, 188:20, 190:18, 197:24, 205:15, 206:1, 206:13, 207:1, 210:9, 240:20, 241:21, 268:6, 301:18, 302:2, 304:12 police [3] - 289:22, 290:8, 292:12 Police [1] - 225:13 populating [2] - 173:3, 303:13 portion [1] - 149:2 portions [1] - 131:15 posing [1] - 97:9 position [22] - 10:9, 26:7, 26:14, 26:24, 27:24, 29:14, 34:20, 36:3, 37:4, 37:7, 37:8, 37:10, 38:15, 39:2, 40:17, 44:21, 44:22, 68:11, 73:1, 208:24, 298:1, 299:16 positions [2] - 44:15, 68:3 positively [1] - 300:13 possibilities [1] - 188:6 possibility [3] - 96:22, 179:19, 252:10 possible [20] - 105:1, 161:9, 161:10, 163:16, 163:17, 166:18, 168:5, 168:9, 168:10, 175:15, 175:17, 180:8, 180:9, 205:16, 211:16, 241:21, 246:2, 246:5, 277:13 potential [2] - 6:9, 86:12 power [19] - 47:20, 298:14, 298:17, 300:12, 301:19, 302:3, 302:5, 302:9, 302:11, 302:23, 303:3, 303:16, 304:6, 305:12, 305:22, 306:13, 306:15, 306:24, 309:14 power-on [12] - 298:14, 298:17, 300:12, 301:19, 302:3, 302:5, 302:9, 302:11, 302:23, 303:3, 303:16, 304:6	powered [2] - 47:21, 302:15 practice [5] - 262:22, 263:4, 267:13, 285:6, 287:17 precise [1] - 144:23 prepared [2] - 11:3, 36:12 preposterous [1] - 221:14 presence [2] - 19:7, 28:11 Present [1] - 2:18 present [11] - 20:15, 103:15, 120:24, 128:2, 143:24, 152:1, 170:19, 177:2, 245:7, 268:19 presented [5] - 66:15, 148:19, 149:8, 242:5, 245:9 presents [2] - 69:10, 243:13 presumptive [1] - 48:9 presumptively [18] - 48:24, 49:1, 49:12, 50:2, 98:24, 141:24, 154:22, 155:2, 155:5, 155:7, 155:8, 155:10, 190:20, 196:2, 196:9, 196:11, 207:16 pretty [3] - 39:5, 213:24, 214:5 prevent [3] - 6:13, 6:18, 256:21 prevents [1] - 51:2 preview [1] - 11:9 previous [5] - 64:6, 92:24, 114:23, 133:19, 251:8 previously [6] - 30:6, 31:12, 120:3, 219:12, 250:10, 304:11 primary [2] - 33:6, 153:20 principle [2] - 77:3, 284:20 principles [1] - 177:9 print [4] - 173:22, 178:6, 192:15, 194:12 printed [61] - 49:19, 78:20, 99:2, 99:4, 99:6, 99:7, 99:10, 99:19, 103:17, 105:11, 106:21, 107:10, 109:1, 109:4, 111:21, 121:5, 129:8, 132:15, 146:4, 146:13, 147:7,
--	---	---	---	---

<p>147:16, 148:6, 148:20, 149:14, 150:22, 155:18, 155:23, 157:4, 157:15, 157:16, 159:14, 171:3, 174:8, 182:3, 183:10, 184:24, 185:8, 185:11, 185:18, 185:19, 186:21, 186:22, 187:10, 191:13, 191:18, 192:2, 192:3, 194:11, 194:24, 205:12, 256:9, 256:12, 256:13, 261:16, 262:17, 263:7, 264:24, 305:14, 307:11, 307:12 printer [1] - 183:11 printing [3] - 175:20, 183:18, 255:6 Printing [1] - 178:18 printout [10] - 46:1, 46:19, 76:14, 78:4, 80:19, 118:2, 122:13, 125:7, 129:24, 256:4 Printout [2] - 3:21, 76:9 printouts [1] - 81:16 prints [1] - 168:2 PRIVATE [1] - 1:13 privilege [2] - 16:22, 41:17 privileged [1] - 86:14 probe [1] - 121:21 problem [2] - 238:19, 238:21 Procedure [1] - 1:17 Proceeding [1] - 282:23 Proceedings [3] - 4:10, 280:2, 280:15 proceedings [2] - 287:19, 290:14 process [3] - 51:19, 284:17, 285:3 procure [2] - 288:20, 288:22 procured [6] - 135:21, 140:7, 166:2, 209:13, 250:12, 289:5 procurement [1] - 140:8 produce [4] - 180:7, 253:20, 258:14, 273:5 produced [12] - 213:16, 213:17, 213:21, 214:17, 225:3, 237:21, 238:2,</p>	<p>238:4, 291:16, 293:24, 296:10, 296:12 produces [1] - 158:7 product [21] - 16:23, 21:19, 25:21, 31:14, 32:13, 33:2, 33:18, 33:22, 34:6, 34:17, 34:20, 34:22, 35:17, 35:19, 35:22, 36:4, 37:5, 37:15, 39:19, 47:21, 48:2, 48:3, 48:8, 48:10, 48:14, 48:17, 48:19, 48:21, 48:24, 49:11, 50:1, 51:20, 54:2, 66:21, 89:18, 91:23, 91:24, 92:2, 92:12, 92:15, 94:3, 94:4, 94:14, 94:16, 94:19, 95:4, 95:19, 95:20, 95:22, 96:8, 96:16, 97:20, 99:14, 101:24, 102:19, 102:24, 103:5, 103:8, 103:19, 104:11, 104:18, 105:3, 112:14, 120:19, 120:21, 121:1, 121:15, 125:24, 132:9, 134:6, 135:13, 144:24, 158:3, 160:3, 172:8, 174:24, 176:7, 176:17, 177:18, 180:15, 180:20, 183:23, 186:24, 187:2, 202:1, 202:2, 205:1, 205:5, 206:8, 206:10, 206:11, 207:9, 207:12, 207:20, 208:10, 208:11, 208:12, 208:16, 208:17, 208:21, 208:22, 209:14, 209:19, 209:20, 209:21, 209:22, 210:1, 227:16, 228:10, 232:24, 233:1, 233:6, 236:14, 241:22, 244:10, 244:12, 244:24, 245:11, 245:14, 245:17, 249:22, 250:8, 250:10, 250:17, 251:5, 251:9, 251:11, 251:16, 251:23, 253:22, 254:1, 254:5, 254:18, 257:8, 257:19, 257:20, 257:24,</p>	<p>258:5, 258:9, 258:18, 259:2, 259:14, 259:19, 259:23, 260:2, 260:4, 260:6, 260:8, 260:14, 260:19, 263:7, 263:9, 263:10, 263:21, 265:11, 266:6, 267:11, 267:15, 268:15, 268:18, 269:20, 270:17, 271:12, 271:16, 271:21, 273:8, 273:14, 273:21, 274:2, 274:5, 274:11, 274:12, 274:14, 274:16, 274:17, 274:19, 275:3, 275:15, 275:18, 275:19, 276:7, 276:23, 276:24, 277:2, 277:14, 292:6, 292:7, 295:14, 295:23, 298:7, 299:20, 300:3, 300:4, 300:6, 300:14, 301:11, 301:20, 302:4, 302:18, 304:18, 305:8, 305:19, 305:22, 306:1, 306:9, 306:11, 306:16 production [3] - 5:4, 225:4, 258:20 products [125] - 10:4, 11:5, 11:15, 15:7, 29:10, 31:8, 32:24, 33:1, 51:17, 51:24, 61:6, 66:18, 89:13, 89:17, 90:7, 90:9, 91:22, 93:1, 101:23, 102:1, 102:2, 103:13, 103:21, 103:22, 104:1, 104:13, 104:22, 105:8, 105:10, 106:22, 111:22, 113:20, 116:21, 118:17, 119:2, 121:8, 128:1, 135:22, 136:1, 140:2, 140:7, 140:13, 140:19, 143:19, 148:17, 148:23, 148:24, 151:11, 151:12, 152:4, 152:24, 156:21, 157:22, 157:23, 158:5, 158:8, 158:14,</p>	<p>164:20, 165:5, 168:16, 169:4, 169:6, 169:7, 171:11, 172:2, 176:10, 176:15, 176:18, 177:10, 177:15, 179:18, 180:1, 180:13, 181:16, 183:4, 183:6, 188:7, 188:11, 188:18, 189:22, 190:1, 190:4, 197:5, 199:7, 201:7, 203:24, 204:4, 204:13, 204:14, 204:15, 205:22, 208:7, 209:11, 209:15, 216:7, 217:23, 229:19, 233:23, 235:20, 244:8, 244:9, 249:21, 251:8, 258:20, 265:13, 266:9, 268:9, 268:13, 273:6, 274:22, 275:4, 275:9, 276:3, 276:22, 277:20, 277:22, 285:3, 288:16, 289:13, 291:5, 298:9, 305:16, 311:16, 311:17 professional [3] - 26:3, 278:8, 278:11 Professional [3] - 1:18, 1:23, 313:7 professionals [5] - 18:11, 18:15, 38:1, 38:2, 38:7 profit [2] - 177:24, 179:18 program [9] - 168:3, 172:15, 172:22, 194:12, 194:13, 203:20, 300:10, 303:8 programmed [3] - 171:4, 182:3, 185:12 programming [3] - 172:20, 175:20, 303:6 projects [1] - 66:24 promoted [3] - 27:11, 27:12, 27:15 promotions [3] - 26:22, 26:24, 27:5 proof [1] - 10:3 proper [2] - 24:24, 87:3 prosecute [1] - 258:24 prosecuted [1] - 290:16 prosecution [1] - 259:4</p>	<p>protect [2] - 3:15, 46:7 protected [1] - 16:21 protection [5] - 13:7, 27:7, 31:6, 33:7, 39:24 prove [3] - 258:15, 260:4, 263:21 proved [1] - 300:13 proven [3] - 171:22, 271:17, 305:1 provide [8] - 11:10, 17:7, 18:1, 25:4, 25:20, 256:10, 256:18, 271:6 provided [19] - 11:17, 11:19, 13:5, 30:6, 30:9, 30:11, 31:1, 87:15, 134:21, 166:19, 167:2, 193:6, 193:19, 216:11, 216:18, 216:23, 217:3, 217:7, 225:13 providing [2] - 17:21, 40:14 provisions [1] - 1:17 psaso@gibbonslaw. com [1] - 2:15 Public [7] - 1:19, 5:6, 216:12, 216:23, 217:3, 217:7, 313:8 publications [1] - 279:15 published [2] - 119:4, 119:6 purchase [2] - 135:18, 181:1 purchased [2] - 134:8, 135:19 purchasers [2] - 173:3, 303:13 purchasing [2] - 134:5, 134:6 purely [2] - 97:16, 141:13 purport [3] - 81:16, 217:5, 293:5 purported [1] - 294:12 purporting [2] - 238:24, 293:12 purports [3] - 228:19, 228:24, 229:4 purpose [4] - 10:7, 36:9, 295:5, 295:6 purposely [1] - 238:22 purposes [2] - 30:18, 50:13 pursuant [1] - 1:17 PUSHUN [1] - 1:8 put [18] - 19:3, 19:20, 38:9, 46:2, 81:24, 83:4, 180:5, 212:14, 215:11, 220:12,</p>
--	---	--	---	---

<p>221:14, 226:2, 245:18, 250:16, 251:6, 279:13, 293:15</p> <p>putting [6] - 86:9, 159:24, 238:23, 266:19, 293:10, 294:11</p> <p>PX [22] - 3:8, 4:2, 7:6, 14:6, 14:7, 15:11, 46:6, 56:4, 61:15, 63:21, 76:9, 107:4, 116:1, 129:3, 210:15, 222:1, 255:2, 261:2, 261:14, 280:1, 291:9, 296:5</p>	<p>167:17</p> <p>Raina [18] - 3:10, 5:10, 7:7, 7:12, 17:5, 72:6, 82:14, 124:5, 125:5, 142:13, 142:19, 219:9, 287:9, 287:23, 297:8, 299:9, 299:12, 311:8</p> <p>Raina's [2] - 257:16, 266:19</p> <p>raise [1] - 306:17</p> <p>raises [1] - 273:4</p> <p>raising [1] - 258:18</p> <p>random [1] - 81:15</p> <p>ranging [1] - 31:21</p> <p>rate [1] - 31:24</p> <p>rates [1] - 31:21</p> <p>rather [1] - 175:11</p> <p>reach [3] - 99:13, 140:23, 167:7</p> <p>reached [1] - 39:7</p> <p>reaching [3] - 94:6, 127:2, 128:6</p> <p>read [102] - 49:19, 49:21, 79:1, 85:14, 85:16, 89:9, 90:8, 94:14, 98:4, 99:5, 99:19, 100:7, 101:23, 102:11, 104:14, 105:22, 106:11, 106:12, 110:14, 117:16, 117:21, 117:22, 118:9, 125:15, 125:16, 126:13, 129:21, 130:2, 130:4, 130:23, 132:5, 134:23, 136:7, 143:20, 148:7, 148:13, 149:1, 149:2, 150:1, 159:9, 160:20, 174:22, 176:22, 182:14, 186:16, 195:3, 201:8, 210:20, 210:23, 211:2, 211:4, 211:8, 211:9, 211:12, 212:9, 212:13, 212:21, 215:13, 216:2, 219:18, 219:19, 220:2, 220:3, 220:4, 220:5, 220:21, 221:7, 221:18, 222:9, 222:22, 223:2, 224:2, 224:8, 224:10, 224:15, 225:1, 227:8, 228:14, 233:16, 234:20, 236:9, 238:8, 239:15, 249:2, 262:15,</p>	<p>262:21, 266:16, 271:4, 279:14, 282:6, 282:7, 283:14, 287:11, 287:12, 288:3, 289:15, 297:8, 301:22, 302:10, 309:18, 309:20</p> <p>readable [4] - 148:7, 148:10, 148:22, 205:11</p> <p>readers [1] - 148:12</p> <p>readily [2] - 246:24, 247:5</p> <p>reading [19] - 118:21, 133:21, 211:18, 212:4, 213:6, 215:18, 218:10, 219:17, 228:2, 228:3, 269:16, 273:15, 273:16, 286:12, 297:9, 297:19, 302:21, 303:4</p> <p>readings [9] - 149:9, 149:12, 149:18, 149:19, 149:20, 150:9, 150:14, 150:23, 152:10</p> <p>readout [5] - 117:6, 118:3, 119:17, 132:2, 151:7</p> <p>reads [6] - 131:3, 153:16, 213:1, 222:6, 222:15, 303:1</p> <p>ready [1] - 163:2</p> <p>really [6] - 87:11, 131:24, 135:12, 260:3, 278:2, 295:20</p> <p>reason [16] - 77:2, 88:6, 91:21, 100:5, 102:20, 103:4, 158:20, 171:13, 207:21, 214:10, 244:6, 244:14, 245:4, 250:8, 294:2, 294:3</p> <p>reasons [2] - 33:6, 273:24</p> <p>rebut [1] - 10:7</p> <p>Rebuttal [3] - 3:9, 7:6, 7:11</p> <p>rebuttal [7] - 9:8, 9:12, 9:15, 9:18, 9:24, 10:23, 11:3</p> <p>receive [3] - 85:20, 311:21, 311:22</p> <p>received [9] - 8:11, 29:20, 58:16, 86:16, 86:20, 87:10, 125:8, 276:22, 311:23</p> <p>recent [1] - 35:14</p> <p>Recess [1] - 70:9</p>	<p>recess [7] - 18:24, 124:21, 163:1, 190:14, 248:24, 282:12, 309:10</p> <p>recognition [1] - 49:18</p> <p>recommend [1] - 92:14</p> <p>Record [2] - 4:13, 297:15</p> <p>record [56] - 18:6, 18:8, 18:23, 19:3, 19:9, 19:12, 19:20, 20:16, 20:18, 20:21, 20:22, 21:1, 61:20, 70:8, 70:11, 70:17, 71:7, 76:18, 85:8, 87:7, 94:24, 111:7, 123:15, 124:2, 124:3, 124:15, 124:20, 125:2, 149:9, 152:10, 170:11, 190:13, 193:23, 215:7, 216:3, 223:8, 223:9, 224:18, 226:5, 237:18, 249:1, 249:4, 262:2, 262:6, 262:12, 262:21, 266:17, 267:2, 279:24, 281:2, 282:5, 282:10, 282:11, 294:8, 309:8, 313:14</p> <p>recorded [7] - 91:14, 104:20, 149:12, 154:12, 175:1, 305:9, 305:20</p> <p>records [1] - 64:20</p> <p>redundancy [11] - 103:6, 174:15, 175:4, 205:7, 240:22, 245:3, 264:21, 268:16, 272:1, 304:23, 307:6</p> <p>redundant [3] - 265:3, 265:7, 305:13</p> <p>refer [9] - 53:17, 91:4, 99:18, 101:14, 106:9, 108:19, 225:6, 275:4, 305:17</p> <p>reference [7] - 75:14, 106:16, 115:9, 225:8, 225:9, 256:10, 303:15</p> <p>referenced [2] - 172:24, 303:10</p> <p>referencing [1] - 63:3</p> <p>referred [4] - 126:16, 219:9, 238:5, 273:9</p> <p>referring [7] - 109:5, 138:7, 154:18, 178:21, 227:7, 243:18, 299:11</p> <p>refers [4] - 30:4, 120:6,</p>	<p>198:1, 269:11</p> <p>reflects [3] - 54:13, 55:9, 262:6</p> <p>refresh [1] - 23:12</p> <p>Regarding [5] - 3:10, 7:7, 7:12, 9:4, 291:23</p> <p>regarding [3] - 4:11, 291:10, 291:18</p> <p>regardless [1] - 290:20</p> <p>registered [4] - 53:3, 57:19, 58:16, 297:23</p> <p>Registered [2] - 1:18, 313:6</p> <p>registration [1] - 56:19</p> <p>rein [1] - 271:7</p> <p>reinvent [1] - 251:3</p> <p>reiterate [7] - 120:8, 163:24, 179:10, 186:19, 228:18, 228:21, 298:22</p> <p>related [2] - 228:15, 311:15</p> <p>relates [2] - 134:10, 241:21</p> <p>relation [1] - 111:24</p> <p>relationship [1] - 40:22</p> <p>relevance [4] - 240:14, 240:15, 280:9</p> <p>relevant [14] - 21:7, 33:10, 33:13, 33:21, 34:21, 35:4, 35:5, 35:14, 35:18, 92:4, 131:8, 145:11, 188:2, 241:3</p> <p>reliable [2] - 122:20, 125:21</p> <p>relied [4] - 126:20, 127:2, 128:6, 153:20</p> <p>relies [2] - 172:4, 299:19</p> <p>rely [10] - 94:13, 94:18, 112:21, 126:1, 207:23, 233:13, 235:3, 265:5, 265:7, 271:15</p> <p>relying [4] - 156:16, 177:11, 236:13, 264:21</p> <p>remaining [1] - 105:15</p> <p>remarket [3] - 209:12, 250:11, 250:24</p> <p>remember [27] - 12:9, 13:21, 14:21, 23:9, 24:18, 25:6, 25:7, 27:16, 37:19, 37:23, 42:5, 52:3, 52:6, 52:10, 52:12, 52:17, 52:19, 53:4, 54:12, 54:24, 55:7, 55:20, 55:24, 61:7, 93:14, 281:16, 281:19</p> <p>remotely [1] - 43:15</p>
Q				
<p>qualification [1] - 21:7</p> <p>qualifications [1] - 25:18</p> <p>qualified [2] - 82:6, 113:21</p> <p>qualities [2] - 88:24, 89:6</p> <p>quality [2] - 144:10, 158:8</p> <p>quantity [1] - 141:15</p> <p>questioned [1] - 6:1</p> <p>questioning [1] - 82:20</p> <p>questions [31] - 5:14, 6:20, 7:1, 16:4, 16:7, 16:12, 19:22, 25:12, 25:15, 41:14, 82:7, 124:8, 129:16, 129:22, 167:21, 181:1, 203:4, 210:5, 212:16, 221:5, 222:11, 223:3, 224:2, 224:14, 226:19, 238:20, 239:10, 266:21, 309:11, 311:4, 312:3</p> <p>quick [3] - 162:19, 248:17, 248:20</p> <p>quickly [3] - 168:17, 180:8, 201:21</p> <p>quiet [1] - 266:22</p> <p>Quigley [1] - 2:8</p> <p>quite [2] - 28:14, 201:6</p> <p>quote [2] - 160:7, 283:17</p> <p>quoted [1] - 217:1</p>				
R				
<p>RAINA [4] - 1:16, 3:3, 5:3, 313:11</p> <p>raina [5] - 7:10, 10:16, 17:21, 121:17,</p>				

<p>repeat [32] - 8:4, 84:2, 96:24, 101:7, 102:9, 104:19, 110:3, 110:20, 111:14, 119:10, 119:14, 126:22, 139:14, 159:7, 159:21, 160:10, 174:1, 186:4, 196:6, 222:19, 229:9, 230:11, 248:22, 251:18, 252:14, 254:14, 267:4, 268:10, 271:7, 271:24, 303:22, 307:21</p> <p>repeated [12] - 102:5, 104:1, 144:14, 158:17, 189:12, 189:18, 190:3, 190:7, 264:12, 308:23, 309:1</p> <p>repeatedly [2] - 86:4, 86:8</p> <p>repetition [3] - 102:1, 121:7, 203:23</p> <p>repetitions [2] - 165:1, 165:4</p> <p>repetitive [1] - 121:10</p> <p>rephrase [4] - 6:21, 25:12, 42:24, 159:13</p> <p>replicate [10] - 171:16, 173:9, 174:14, 175:8, 180:6, 197:3, 199:17, 200:22, 202:13, 304:22</p> <p>replicated [8] - 100:21, 101:2, 101:5, 165:12, 172:7, 182:12, 185:7, 204:3</p> <p>replicates [1] - 101:11</p> <p>replicating [1] - 182:10</p> <p>replication [1] - 199:19</p> <p>reply [1] - 292:4</p> <p>Report [12] - 3:9, 7:7, 7:11, 225:7, 225:11, 236:6, 237:7, 238:6, 290:3, 301:4, 303:17, 304:4</p> <p>report [182] - 7:19, 7:21, 8:1, 8:7, 8:12, 8:17, 9:11, 9:12, 9:15, 9:18, 9:19, 9:21, 10:7, 10:10, 11:1, 11:3, 11:4, 11:8, 11:9, 11:14, 11:18, 11:19, 11:23, 13:22, 14:3, 14:14, 18:9, 18:10, 21:4, 29:19, 30:10, 30:11, 30:13, 30:18, 31:1, 31:12, 31:16, 32:6, 33:12, 33:21, 36:7,</p>	<p>36:11, 36:15, 36:18, 40:16, 40:23, 45:2, 45:13, 45:17, 68:17, 83:5, 83:7, 83:9, 83:11, 83:16, 83:19, 84:9, 84:14, 84:15, 84:24, 87:15, 87:24, 88:3, 88:11, 88:14, 94:14, 97:23, 100:8, 101:15, 107:1, 110:12, 110:22, 111:14, 112:9, 113:19, 115:19, 115:21, 116:3, 117:2, 119:16, 125:6, 126:21, 127:3, 127:14, 127:20, 128:13, 128:20, 134:10, 136:4, 141:18, 142:4, 142:13, 149:18, 149:21, 150:4, 150:5, 150:7, 150:11, 150:12, 150:16, 151:2, 151:4, 151:23, 151:24, 152:11, 153:11, 153:14, 153:19, 170:4, 172:17, 178:5, 181:16, 183:8, 184:2, 184:19, 198:1, 206:23, 218:13, 218:17, 218:24, 219:10, 224:21, 224:23, 225:12, 226:23, 227:1, 227:8, 231:20, 232:10, 234:10, 234:13, 234:14, 234:16, 234:18, 234:21, 235:3, 235:14, 235:15, 235:18, 236:2, 236:4, 236:10, 237:1, 237:6, 237:8, 237:12, 237:13, 237:14, 237:21, 238:10, 238:12, 240:1, 240:4, 240:10, 241:1, 242:7, 246:21, 253:6, 253:16, 258:22, 265:17, 267:6, 279:13, 282:18, 282:24, 283:16, 283:17, 284:12, 285:6, 288:1, 300:16, 300:23, 303:5, 303:18, 303:23, 309:18, 309:20,</p>	<p>310:21, 312:1</p> <p>reported [2] - 40:18, 274:8</p> <p>Reporter [5] - 1:18, 1:23, 313:7, 313:8</p> <p>reporter [4] - 7:5, 20:16, 95:2, 157:9</p> <p>reporting [2] - 40:22, 40:24</p> <p>reports [9] - 30:9, 31:2, 31:7, 31:9, 31:13, 44:3, 45:4, 279:11, 279:14</p> <p>represent [1] - 148:17</p> <p>representation [5] - 200:23, 217:12, 245:2, 256:2, 264:1</p> <p>representative [1] - 276:6</p> <p>represented [12] - 77:5, 79:2, 81:10, 82:13, 82:18, 82:22, 121:4, 148:9, 148:22, 216:24, 225:24, 264:8</p> <p>representing [8] - 5:13, 78:12, 225:20, 237:20, 237:23, 281:8, 292:21, 295:3</p> <p>represents [7] - 74:20, 74:24, 79:3, 79:7, 81:9, 82:12, 295:2</p> <p>reprogram [3] - 173:21, 178:4, 191:3</p> <p>reprogrammed [2] - 197:17, 303:24</p> <p>reputable [1] - 279:18</p> <p>reputations [1] - 82:4</p> <p>request [3] - 71:7, 295:22, 295:24</p> <p>requesting [1] - 311:9</p> <p>required [1] - 199:14</p> <p>requires [3] - 174:17, 174:18, 174:19</p> <p>resellers [2] - 250:12, 250:13</p> <p>resources [3] - 180:6, 199:13, 201:17</p> <p>respect [2] - 247:16, 303:6</p> <p>respond [2] - 25:12, 110:18</p> <p>responded [1] - 122:11</p> <p>responding [1] - 11:13</p> <p>response [12] - 9:18, 10:10, 16:18, 17:13, 25:13, 102:15, 143:6, 145:9, 163:7, 231:3, 253:5, 298:8</p> <p>Responses [3] - 3:13, 15:12, 15:17</p> <p>responsibilities [4] - 39:13, 41:12, 52:8,</p>	<p>63:7</p> <p>responsibility [1] - 259:22</p> <p>responsible [2] - 37:15, 41:18</p> <p>rest [8] - 132:19, 151:16, 151:18, 211:8, 211:9, 211:12, 308:3, 308:23</p> <p>restate [2] - 84:5, 297:2</p> <p>restroom [2] - 70:15, 71:10</p> <p>results [4] - 156:18, 245:18, 287:17, 310:20</p> <p>resume [6] - 34:5, 34:10, 54:7, 54:13, 72:5, 163:2</p> <p>retained [6] - 11:24, 12:4, 12:5, 12:7, 13:4, 84:17</p> <p>reuse [7] - 173:18, 173:20, 175:12, 175:18, 187:19, 200:18, 202:13</p> <p>reused [5] - 171:2, 186:5, 186:11, 187:9, 195:16</p> <p>reuses [4] - 168:2, 169:12, 185:23, 189:7</p> <p>reusing [4] - 182:10, 183:16, 191:22, 192:20</p> <p>reveal [5] - 12:24, 41:13, 41:15, 84:22, 86:13</p> <p>revealing [1] - 270:20</p> <p>revenue [1] - 67:8</p> <p>review [8] - 61:24, 83:5, 83:7, 83:9, 131:14, 219:1, 221:16, 262:13</p> <p>reviewed [5] - 11:18, 83:21, 218:16, 219:11, 226:22</p> <p>reviewing [2] - 110:11, 257:19</p> <p>revised [1] - 300:9</p> <p>rewriting [1] - 301:15</p> <p>rewritten [3] - 300:17, 301:12, 304:8</p> <p>Richard [9] - 40:23, 41:1, 45:9, 61:9, 69:23, 74:20, 76:14, 79:2, 79:11</p> <p>Rick [8] - 22:17, 38:23, 44:9, 44:10, 44:17, 60:19, 67:18, 68:6</p> <p>road [1] - 220:14</p> <p>Robert [5] - 40:13,</p>	<p>41:3, 41:5, 41:18, 42:7</p> <p>Rojas [2] - 63:12, 64:9</p> <p>role [10] - 26:9, 29:15, 29:16, 39:8, 65:24, 66:6, 74:8, 284:18, 289:9, 289:10</p> <p>room [2] - 19:7, 71:4</p> <p>roughly [2] - 38:6, 63:10</p> <p>router [3] - 133:18, 302:13, 302:17</p> <p>routers [2] - 134:16, 134:19</p> <p>RPR [1] - 313:22</p> <p>rule [2] - 220:18, 220:19</p> <p>Rules [1] - 1:17</p> <p>rules [1] - 49:23</p> <p>ruling [3] - 224:4, 286:4, 287:20</p> <p>running [2] - 287:4, 302:17</p> <p>Russian [2] - 20:20, 20:24</p>
S				
<p>sales [1] - 51:19</p> <p>sample [3] - 158:14, 165:1, 165:2</p> <p>San [5] - 28:11, 28:14, 36:24, 57:13, 72:9</p> <p>sanctionable [1] - 86:5</p> <p>Saso [2] - 2:13, 215:3</p> <p>SASO [11] - 215:1, 255:14, 256:1, 256:7, 256:12, 256:15, 294:21, 296:14, 296:17, 296:20, 310:13</p> <p>satisfactorily [1] - 5:4</p> <p>satisfied [6] - 156:6, 186:1, 186:13, 191:21, 206:1, 207:9</p> <p>satisfies [4] - 195:22, 206:24, 207:12, 207:17</p> <p>satisfy [3] - 175:21, 185:13, 193:1</p> <p>saw [10] - 42:6, 66:12, 181:16, 210:3, 234:16, 234:18, 237:1, 242:13, 261:2</p> <p>scan [10] - 48:12, 48:13, 48:16, 48:20, 49:9, 49:14, 49:16, 99:10, 148:14</p> <p>scanned [8] - 91:12, 148:18, 151:24, 152:6, 152:7, 152:17, 152:24, 153:3</p>				

<p>scanning [1] - 48:23</p> <p>scenario [9] - 142:19, 165:20, 184:5, 191:20, 192:19, 195:21, 196:13, 203:18</p> <p>scenarios [1] - 249:16</p> <p>science [1] - 29:20</p> <p>scope [5] - 10:14, 39:12, 88:15, 88:17, 89:5</p> <p>seal [1] - 313:17</p> <p>second [31] - 10:7, 29:4, 63:11, 80:8, 85:12, 89:8, 106:13, 114:19, 129:23, 131:21, 143:18, 145:24, 146:18, 149:3, 157:3, 185:13, 199:23, 209:12, 250:11, 250:23, 255:10, 255:22, 256:20, 257:10, 271:3, 273:12, 273:16, 284:4, 284:5, 285:15, 291:13</p> <p>Second [1] - 212:24</p> <p>seconds [2] - 153:24, 307:18</p> <p>Secretary [9] - 3:16, 3:18, 3:19, 56:4, 61:15, 61:23, 63:21, 64:1, 64:21</p> <p>section [9] - 9:7, 31:19, 35:2, 36:6, 36:20, 88:13, 114:24, 137:20, 149:8</p> <p>securities [1] - 37:6</p> <p>security [44] - 13:7, 21:20, 25:21, 32:14, 32:19, 33:1, 33:3, 33:4, 33:19, 33:22, 34:7, 34:18, 34:21, 34:22, 35:18, 35:19, 36:4, 37:16, 39:20, 119:3, 119:17, 206:3, 206:14, 216:18, 244:3, 256:21, 256:23, 257:8, 264:12, 269:23, 269:24, 271:5, 271:6, 272:3, 272:5, 272:7, 272:10, 272:17, 272:20, 274:9, 297:24, 299:4, 299:14, 299:22</p> <p>Security [8] - 72:19, 216:12, 216:23, 217:4, 217:7, 242:8, 270:3, 271:3</p> <p>see [144] - 7:14, 7:18,</p>	<p>8:2, 8:6, 8:21, 9:5, 12:2, 13:18, 14:17, 15:16, 15:19, 15:21, 16:2, 16:13, 17:2, 17:4, 18:12, 21:12, 25:21, 28:18, 31:22, 34:13, 46:13, 47:7, 47:14, 47:22, 49:10, 56:9, 56:12, 56:20, 57:4, 62:4, 64:2, 76:2, 76:19, 77:4, 77:7, 77:11, 77:18, 78:1, 78:11, 78:14, 78:17, 79:9, 79:17, 79:21, 80:3, 80:7, 80:11, 80:23, 82:13, 82:17, 98:3, 98:6, 108:5, 109:4, 110:8, 114:10, 114:24, 115:3, 117:7, 117:9, 118:2, 118:5, 119:19, 125:19, 125:24, 126:2, 126:14, 132:10, 132:12, 132:13, 132:16, 132:19, 133:2, 133:5, 133:16, 138:4, 139:14, 141:21, 144:1, 144:7, 150:3, 154:23, 155:13, 155:20, 164:17, 173:5, 173:11, 177:3, 178:10, 182:15, 189:11, 211:7, 216:8, 216:9, 216:12, 216:16, 220:3, 220:20, 225:14, 227:1, 227:5, 228:12, 228:13, 228:16, 229:20, 230:3, 230:20, 230:23, 234:21, 238:11, 239:16, 239:18, 243:1, 243:6, 243:15, 244:1, 247:2, 247:3, 248:5, 261:4, 262:18, 263:12, 266:17, 268:22, 269:11, 269:24, 270:7, 270:10, 284:21, 285:11, 286:18, 286:21, 287:1, 287:2, 291:19, 291:20, 292:9, 298:4, 298:17, 300:14, 301:7</p> <p>seeking [2] - 311:13, 311:14</p> <p>seeks [3] - 16:21, 16:24, 17:15</p>	<p>Seized [4] - 3:10, 7:8, 7:13, 9:4</p> <p>seized [15] - 14:15, 16:10, 99:8, 157:17, 185:20, 186:24, 216:4, 225:15, 228:10, 229:18, 233:22, 297:24, 307:13, 309:13, 310:7</p> <p>selected [1] - 33:6</p> <p>sell [3] - 169:14, 172:8, 209:17</p> <p>selling [5] - 259:2, 259:19, 277:2, 289:22, 290:16</p> <p>sells [1] - 134:16</p> <p>send [1] - 169:6</p> <p>senior [1] - 27:11</p> <p>sense [4] - 163:18, 215:18, 233:17, 273:2</p> <p>sent [3] - 290:7, 295:7, 295:24</p> <p>sentence [10] - 106:13, 160:19, 178:21, 179:10, 216:3, 216:9, 216:10, 217:1, 269:22, 271:4</p> <p>sentences [2] - 233:17, 283:18</p> <p>separate [2] - 9:7, 200:24</p> <p>sequence [2] - 11:12, 301:6</p> <p>serial [273] - 98:1, 98:11, 99:1, 99:2, 99:4, 99:5, 99:6, 99:7, 99:18, 100:2, 100:11, 100:16, 100:20, 101:1, 101:2, 101:5, 101:11, 101:22, 102:1, 102:4, 102:7, 103:6, 103:7, 103:8, 103:9, 103:20, 103:24, 104:18, 104:20, 105:9, 105:11, 105:12, 105:13, 105:23, 106:21, 107:19, 108:6, 108:16, 109:7, 110:6, 110:11, 110:24, 111:1, 111:21, 120:21, 120:22, 120:23, 121:7, 121:10, 122:2, 144:7, 144:13, 146:4, 146:5, 146:23, 147:9, 147:10, 147:21, 148:5, 148:8,</p>	<p>148:14, 150:18, 150:19, 150:20, 155:18, 155:19, 155:23, 155:24, 156:22, 157:3, 157:5, 157:15, 157:16, 158:5, 158:11, 158:16, 159:3, 159:4, 159:6, 159:14, 159:15, 160:6, 160:9, 160:14, 160:16, 160:21, 160:23, 161:4, 161:11, 161:24, 162:2, 162:6, 163:4, 163:13, 163:19, 165:11, 165:22, 165:23, 166:21, 167:2, 167:3, 167:6, 168:1, 168:2, 168:18, 168:20, 169:10, 169:12, 169:19, 170:11, 170:12, 171:3, 171:4, 171:5, 171:21, 171:24, 172:1, 172:13, 172:24, 173:10, 173:15, 173:16, 173:20, 174:2, 174:5, 174:8, 174:11, 174:14, 174:24, 175:1, 175:2, 175:4, 175:9, 175:12, 175:13, 175:16, 175:18, 175:19, 176:16, 176:17, 178:8, 178:14, 178:24, 182:11, 182:13, 183:16, 184:6, 184:7, 184:8, 184:23, 185:1, 185:8, 185:9, 185:10, 185:11, 185:17, 185:18, 185:19, 185:24, 186:5, 186:6, 186:20, 186:21, 186:23, 187:3, 187:4, 187:8, 187:14, 187:16, 187:18, 187:20, 188:12, 188:13, 188:15, 188:24, 189:8, 189:9, 189:18, 190:3, 190:7, 191:12, 191:13, 191:18, 191:19, 191:22, 192:2, 192:3, 192:15, 192:21,</p>	<p>194:10, 195:16, 197:11, 198:2, 198:10, 198:13, 199:20, 199:22, 200:4, 200:13, 200:18, 200:21, 201:1, 202:14, 203:7, 203:23, 205:7, 240:21, 245:4, 249:23, 251:18, 251:22, 254:7, 254:16, 257:9, 257:18, 258:1, 263:5, 263:9, 263:15, 263:19, 263:23, 263:24, 264:2, 264:6, 264:9, 264:13, 264:21, 265:2, 265:5, 265:9, 265:10, 265:20, 266:1, 266:5, 267:8, 267:10, 267:14, 268:2, 268:10, 268:11, 268:14, 268:20, 269:19, 271:20, 272:1, 272:2, 303:10, 304:1, 304:23, 305:8, 305:9, 305:13, 305:18, 305:20, 306:1, 306:2, 306:13, 306:14, 306:24, 307:1, 307:2, 307:6, 307:10, 307:12, 308:18, 308:19, 308:22, 309:1</p> <p>serious [1] - 267:1</p> <p>served [2] - 32:3, 39:21</p> <p>service [1] - 29:12</p> <p>services [6] - 13:6, 29:9, 39:18, 40:14, 66:18, 68:20</p> <p>SERVICES [2] - 1:12, 1:13</p> <p>SESSION [1] - 125:1</p> <p>set [32] - 45:18, 60:23, 100:13, 140:13, 144:12, 144:13, 157:22, 168:4, 169:13, 169:20, 169:24, 170:24, 186:8, 186:9, 189:8, 190:23, 190:24, 191:21, 192:5, 194:9, 194:15, 195:15, 198:15, 198:17, 200:12, 200:13, 200:16, 200:18, 288:15, 313:12, 313:16</p> <p>Set [3] - 3:14, 15:13,</p>
---	--	--	--	---

15:18 sets [2] - 191:4, 243:14 seven [1] - 25:2 several [9] - 36:15, 76:7, 76:12, 107:9, 108:5, 111:14, 113:19, 127:5, 228:15 SFB [2] - 115:10, 120:15 shabby [1] - 201:20 shall [2] - 132:6, 190:15 share [4] - 83:11, 84:14, 84:23, 167:16 shared [8] - 11:18, 23:23, 31:10, 45:21, 120:17, 127:22, 236:12, 240:16 shares [1] - 49:5 sharing [3] - 48:4, 135:6, 201:15 SHELLEY [4] - 1:16, 3:3, 5:3, 313:11 Shelley [2] - 3:9, 7:7 Shelly [1] - 7:12 shifts [1] - 247:19 short [1] - 298:14 Shorthand [2] - 1:18, 313:7 show [23] - 7:4, 15:9, 45:24, 56:2, 61:13, 63:19, 80:22, 106:24, 115:17, 117:5, 122:23, 126:17, 128:14, 128:24, 210:12, 211:17, 218:20, 254:24, 261:12, 291:6, 293:12, 306:10, 306:15 showcase [2] - 134:7, 141:17 showcased [3] - 134:15, 172:1, 305:14 showed [8] - 80:18, 82:22, 119:2, 119:15, 122:6, 125:7, 290:3, 296:9 showing [3] - 78:14, 81:14, 256:3 shown [3] - 15:16, 97:12, 290:6 shows [6] - 47:17, 119:7, 119:17, 242:21, 243:2, 243:5 side [2] - 11:2, 165:3 Sideman [52] - 13:3, 34:3, 34:24, 35:11, 35:23, 36:5, 36:19, 36:22, 38:17, 39:4,	39:11, 42:19, 43:6, 43:15, 43:19, 44:11, 44:13, 57:3, 57:10, 57:12, 57:20, 58:1, 59:5, 59:12, 59:20, 59:23, 60:3, 60:12, 60:14, 60:23, 62:16, 62:17, 62:24, 63:7, 63:16, 64:24, 65:16, 66:12, 69:11, 69:20, 72:9, 72:23, 73:5, 73:8, 73:10, 73:12, 75:1, 75:18, 75:19, 76:15, 78:12, 116:11 sides [1] - 277:12 signature [3] - 7:16, 7:18, 8:6 signed [1] - 56:19 significance [1] - 157:20 silly [1] - 169:3 similar [6] - 40:14, 246:24, 247:5, 247:22, 301:13, 304:2 similarly [4] - 148:16, 213:10, 213:21, 214:16 simple [3] - 96:4, 137:9, 151:13 single [3] - 48:12, 102:17, 103:24 sister [3] - 68:22, 68:23 sit [5] - 51:15, 131:2, 213:1, 220:4, 281:17 sits [1] - 180:12 sitting [3] - 52:19, 211:18, 310:23 situation [5] - 200:9, 200:11, 201:14, 253:2, 290:12 situations [4] - 208:18, 209:4, 209:8, 280:8 six [5] - 38:14, 40:6, 42:10, 101:20 small [10] - 54:21, 100:19, 132:4, 158:13, 165:2, 168:10, 168:12, 169:2, 244:16 Smart [2] - 47:17, 47:18 software [8] - 133:21, 134:3, 134:21, 301:14, 302:17, 302:20, 302:24, 304:7 sold [9] - 140:14, 165:5, 165:11, 167:3, 208:8, 250:13, 288:16, 292:3, 292:5	sole [1] - 283:22 solely [2] - 100:16, 102:22 Solid [1] - 261:19 solution [5] - 51:14, 51:21, 51:22, 54:3, 66:21 solutions [8] - 3:15, 26:19, 29:8, 33:3, 46:6, 51:12, 51:13, 67:1 someone [4] - 41:17, 130:7, 180:21, 209:13 sometime [2] - 21:23, 55:19 sometimes [2] - 171:21, 220:19 somewhere [7] - 106:4, 162:1, 162:12, 163:14, 169:14, 176:9, 181:10 soon [2] - 6:24, 219:14 Sorokin [3] - 221:2, 221:21, 267:3 sorry [57] - 8:4, 16:6, 18:21, 34:8, 40:20, 42:24, 45:15, 47:10, 52:14, 53:8, 53:19, 54:6, 76:5, 83:17, 85:14, 90:19, 90:20, 104:15, 107:16, 107:22, 107:24, 110:19, 122:17, 126:22, 129:12, 138:22, 143:5, 146:17, 147:5, 153:21, 160:10, 178:16, 179:9, 182:20, 193:21, 196:4, 196:6, 212:17, 227:17, 229:12, 230:11, 252:14, 257:21, 261:21, 262:24, 265:22, 275:17, 282:19, 283:7, 283:20, 284:3, 287:4, 289:2, 294:21, 306:12, 307:17, 307:20 Sorry [1] - 13:16 sort [3] - 131:15, 139:10, 139:12 source [2] - 133:1, 275:23 sources [1] - 140:7 space [6] - 57:19, 136:2, 279:4, 279:16, 279:17, 288:20 speaking [25] - 10:21, 20:13, 25:2, 36:3,	61:8, 70:13, 81:20, 82:10, 85:6, 85:11, 86:6, 189:14, 196:23, 198:22, 204:2, 215:3, 228:20, 229:8, 235:11, 238:16, 252:22, 253:5, 266:18, 277:16, 293:3 specializing [1] - 21:15 specific [6] - 51:6, 82:13, 133:13, 133:14, 138:12, 221:17 specifically [8] - 36:3, 39:15, 48:16, 75:4, 101:19, 217:21, 240:5, 288:11 speculation [3] - 69:14, 218:8, 233:10 spelled [1] - 47:12 spelling [1] - 47:16 spoken [1] - 42:8 Spreadsheet [2] - 3:22, 107:4 spreadsheet [10] - 107:2, 107:17, 137:23, 137:24, 138:2, 138:6, 138:13, 138:17, 152:19, 153:6 square [2] - 231:21, 232:2 ss [1] - 313:4 stack [1] - 70:3 staff [6] - 37:7, 37:9, 37:10, 38:3, 38:7, 38:10 stake [3] - 60:10, 60:24, 61:3 stamped [1] - 210:17 standard [1] - 135:9 standing [1] - 285:18 stands [2] - 37:22, 278:15 staring [1] - 70:20 start [7] - 19:1, 70:10, 104:16, 109:10, 114:2, 168:21, 219:17 started [9] - 26:3, 43:21, 54:13, 55:10, 55:15, 57:9, 59:5, 59:15, 59:18 starting [3] - 90:2, 227:9 starts [6] - 11:23, 21:10, 98:10, 108:6, 228:4, 301:23 startup [2] - 45:19, 67:5 startups [1] - 23:22	state [11] - 104:14, 104:23, 105:2, 105:4, 152:11, 229:8, 239:6, 266:24, 267:6, 274:4 State [10] - 3:16, 3:18, 3:19, 56:4, 61:15, 61:23, 63:21, 64:1, 64:21, 261:19 statement [44] - 19:13, 64:4, 64:16, 64:23, 98:9, 108:12, 108:15, 108:18, 108:21, 110:8, 110:13, 110:21, 111:3, 111:9, 111:13, 112:3, 112:5, 112:11, 121:18, 121:19, 122:4, 132:22, 154:4, 210:6, 229:14, 229:20, 229:22, 230:5, 233:4, 263:12, 263:16, 263:18, 264:5, 264:20, 266:4, 267:18, 269:18, 271:17, 271:20, 287:11, 298:20, 299:2, 299:3, 299:9 Statement [12] - 3:18, 3:19, 4:3, 61:16, 61:21, 62:2, 63:22, 63:24, 64:6, 129:3, 129:9, 261:3 statements [8] - 112:8, 267:21, 287:24, 288:7, 288:9, 294:15, 297:14, 310:12 STATES [1] - 1:4 states [3] - 106:16, 110:5, 216:13 stating [5] - 144:16, 232:10, 273:24, 290:8, 290:13 stays [2] - 236:11, 245:8 STENOGRAPHER [19] - 19:5, 19:8, 19:11, 19:15, 46:5, 107:22, 119:12, 123:18, 124:4, 125:3, 129:2, 147:4, 163:3, 179:7, 210:14, 223:14, 283:20, 289:2, 291:8 step [2] - 176:6, 257:10 steps [5] - 94:15, 179:4, 179:6, 179:11, 257:7 Stewart [2] - 1:20, 2:7
--	--	---	---	---

<p>sticking [1] - 122:10</p> <p>still [11] - 25:11, 44:13, 97:14, 195:23, 196:15, 196:20, 245:13, 260:18, 274:12, 276:12, 297:9</p> <p>Stipulated [1] - 79:6</p> <p>stipulation [1] - 76:23</p> <p>stop [6] - 25:2, 70:23, 85:24, 235:11, 238:15, 238:18</p> <p>stopped [1] - 73:12</p> <p>stopping [1] - 274:13</p> <p>strange [1] - 23:17</p> <p>strategies [3] - 21:16, 34:21, 39:23</p> <p>strategist [6] - 34:7, 35:17, 36:5, 37:6, 45:10, 45:16</p> <p>strategy [2] - 44:17, 68:7</p> <p>string [33] - 99:10, 103:16, 121:5, 146:3, 146:8, 146:9, 146:13, 147:7, 147:8, 147:16, 147:19, 148:4, 148:19, 148:21, 149:2, 149:3, 149:4, 150:2, 152:8, 153:5, 170:18, 176:2, 176:23, 192:24, 194:2, 194:24, 195:5, 195:7, 198:10, 201:10, 201:11, 205:12, 304:16</p> <p>strings [1] - 194:11</p> <p>strip [1] - 270:3</p> <p>strong [2] - 140:10, 142:15</p> <p>strongly [4] - 136:9, 139:20, 139:23, 142:4</p> <p>Styller [7] - 2:19, 19:7, 20:13, 70:13, 70:20, 71:4, 71:8</p> <p>STYLLER [5] - 1:6, 18:19, 20:20, 20:24, 21:3</p> <p>Styller's [1] - 19:22</p> <p>subject [9] - 6:9, 41:16, 163:5, 237:10, 239:18, 246:9, 249:13, 259:4, 284:2</p> <p>subjective [1] - 135:16</p> <p>submitted [2] - 10:10, 292:12</p> <p>subsequently [1] - 251:2</p> <p>substance [4] - 86:19, 87:12, 282:13,</p>	<p>303:16</p> <p>substantially [2] - 246:24, 247:5</p> <p>substantiates [1] - 104:3</p> <p>subtle [1] - 301:16</p> <p>sufficient [12] - 229:17, 230:6, 230:17, 231:1, 232:11, 232:16, 233:5, 233:21, 235:18, 305:22, 306:10, 306:15</p> <p>suggest [3] - 139:23, 142:7, 164:24</p> <p>suggestion [1] - 142:15</p> <p>suggests [4] - 136:10, 139:20, 140:1, 142:4</p> <p>Sumitomo [3] - 115:7, 115:12, 135:24</p> <p>summarize [6] - 8:13, 32:6, 57:18, 153:10, 197:11, 203:6</p> <p>summary [2] - 25:18, 309:18</p> <p>supply [19] - 21:20, 24:14, 25:21, 32:13, 33:4, 33:19, 33:22, 34:7, 34:17, 34:20, 34:22, 35:17, 35:19, 36:4, 37:6, 37:15, 39:19, 51:24, 68:13</p> <p>support [6] - 37:7, 37:9, 37:10, 38:3, 38:7, 38:10</p> <p>supported [4] - 38:11, 40:11, 41:19, 289:11</p> <p>supports [1] - 75:6</p> <p>suppose [1] - 14:2</p> <p>supposed [5] - 72:2, 126:19, 148:16, 188:14, 201:9</p> <p>surface [3] - 180:18, 202:1</p> <p>surprise [6] - 138:16, 138:19, 138:20, 139:1, 139:3, 140:15</p> <p>suspect [1] - 293:17</p> <p>suspend [1] - 20:2</p> <p>switch [3] - 133:19, 302:14, 302:18</p> <p>switches [2] - 134:16, 134:19</p> <p>sworn [3] - 5:5, 6:5, 313:13</p> <p>system [4] - 28:1, 256:23, 257:4, 302:15</p> <p>systems [1] - 26:11</p>	<p>108:24</p> <p>Table [1] - 8:21</p> <p>table [3] - 8:24, 9:2, 164:7</p> <p>Taco [1] - 33:14</p> <p>talks [3] - 147:6, 172:20, 227:14</p> <p>taught [1] - 177:13</p> <p>team [10] - 26:18, 27:7, 33:8, 45:22, 46:15, 46:21, 67:19, 75:6, 148:13, 259:22</p> <p>TECHNOLOGIES [1] - 1:7</p> <p>technology [13] - 23:20, 23:21, 178:13, 178:23, 179:13, 179:17, 179:24, 199:9, 199:11, 260:21, 260:24, 261:6, 261:11</p> <p>Technology [1] - 77:18</p> <p>telephone [1] - 24:22</p> <p>ten [7] - 26:10, 26:21, 32:16, 162:18, 209:11, 248:21, 250:22</p> <p>ten-minute [1] - 248:21</p> <p>ten-year [1] - 26:21</p> <p>term [3] - 113:18, 304:5</p> <p>terms [2] - 258:19, 279:8</p> <p>test [12] - 151:7, 151:8, 151:11, 171:12, 298:14, 298:16, 298:17, 300:12, 302:21, 302:23, 303:3, 303:16</p> <p>testified [6] - 5:6, 17:24, 217:9, 232:14, 235:2, 246:2</p> <p>testify [3] - 86:3, 86:6, 267:1</p> <p>testifying [4] - 86:2, 86:4, 266:10, 266:20</p> <p>testimony [30] - 10:14, 30:6, 52:22, 70:16, 71:18, 72:2, 81:23, 96:13, 99:22, 131:13, 182:8, 182:19, 182:23, 184:16, 198:20, 202:12, 203:12, 232:19, 254:11, 264:19, 270:16, 283:5, 283:9, 290:23, 294:14, 297:5, 303:21, 304:10, 311:9, 313:14</p> <p>testing [22] - 89:15,</p>	<p>92:13, 157:1, 171:13, 172:4, 205:4, 205:22, 236:10, 240:15, 240:18, 241:24, 242:1, 244:11, 244:23, 252:1, 298:13, 299:6, 299:19, 304:11, 310:19, 310:20, 311:24</p> <p>tests [1] - 105:17</p> <p>Texas [4] - 5:5, 43:11, 43:13, 72:8</p> <p>text [1] - 255:8</p> <p>THE [35] - 13:16, 19:5, 19:8, 19:11, 19:15, 46:5, 107:22, 119:12, 123:11, 123:18, 124:4, 124:16, 124:19, 125:3, 129:2, 130:6, 130:9, 147:4, 147:5, 162:16, 163:3, 179:7, 179:9, 182:20, 190:16, 196:4, 210:14, 223:14, 248:16, 248:20, 283:20, 285:16, 289:2, 291:8, 311:1</p> <p>themselves [3] - 66:15, 246:12, 258:8</p> <p>theoretically [1] - 200:14</p> <p>therefore [1] - 302:5</p> <p>they've [3] - 134:20, 169:4, 180:22</p> <p>thick [1] - 251:2</p> <p>third [11] - 85:12, 157:14, 157:21, 185:17, 192:1, 277:21, 284:19, 285:12, 286:8, 301:6, 307:9</p> <p>third-party [1] - 277:21</p> <p>thorough [6] - 92:1, 92:14, 95:19, 95:21, 158:19, 158:23</p> <p>thoroughly [1] - 204:24</p> <p>thousands [2] - 171:11, 181:5</p> <p>three [14] - 12:10, 14:21, 45:20, 68:1, 107:20, 164:16, 190:2, 268:7, 271:2, 281:4, 282:8, 283:15, 308:10, 309:3</p> <p>thriving [1] - 209:9</p> <p>tile [1] - 22:5</p> <p>tilted [1] - 247:15</p> <p>title [16] - 7:16, 9:16,</p>	<p>15:21, 22:7, 22:9, 24:12, 27:8, 27:9, 27:13, 34:13, 34:14, 67:4, 68:12, 225:9, 225:10, 243:20</p> <p>titled [1] - 77:16</p> <p>titles [1] - 45:21</p> <p>today [10] - 5:14, 6:8, 6:15, 47:2, 52:19, 64:15, 141:10, 145:17, 281:17</p> <p>together [3] - 41:5, 74:7, 159:24</p> <p>took [6] - 19:13, 90:12, 90:13, 90:23, 90:24, 264:6</p> <p>tools [2] - 172:22, 303:8</p> <p>top [25] - 15:21, 23:11, 27:16, 37:23, 42:11, 52:4, 54:24, 55:8, 56:1, 81:5, 100:4, 118:19, 129:11, 131:21, 132:3, 133:17, 144:3, 164:17, 164:22, 178:6, 256:24, 260:17, 274:15, 285:13, 294:22</p> <p>total [3] - 92:16, 152:5</p> <p>totality [2] - 277:12, 304:17</p> <p>towards [4] - 27:20, 63:10, 301:24</p> <p>trace [1] - 300:11</p> <p>traces [1] - 301:15</p> <p>trademark [9] - 202:3, 231:10, 259:3, 284:1, 284:15, 285:7, 285:17, 287:22, 290:13</p> <p>Trademark [2] - 278:16, 280:17</p> <p>trademarks [3] - 16:12, 17:9, 17:17</p> <p>trademarks' [1] - 17:2</p> <p>trans [4] - 176:24, 183:14, 186:7, 191:11</p> <p>transceiver [88] - 91:24, 92:7, 92:8, 94:21, 94:22, 95:5, 95:12, 95:14, 95:15, 96:5, 96:7, 96:17, 96:19, 96:22, 97:2, 97:14, 98:24, 100:22, 101:3, 101:4, 101:10, 102:6, 106:20, 117:6, 118:20, 119:7, 119:18, 125:8, 133:8, 135:2, 137:20, 144:6,</p>
	T			
	tab [2] - 107:10,			

153:22, 154:19, 154:22, 159:3, 159:16, 161:11, 161:15, 161:18, 175:21, 179:1, 180:21, 181:21, 182:16, 183:20, 190:20, 195:22, 196:2, 196:9, 196:14, 199:15, 204:20, 205:24, 206:5, 206:15, 206:24, 207:3, 207:15, 207:16, 207:19, 209:1, 209:9, 210:7, 210:8, 227:16, 230:7, 230:18, 231:1, 231:11, 243:5, 245:20, 245:22, 249:17, 254:6, 254:15, 260:16, 265:6, 268:19, 272:19, 299:4, 299:10, 299:17, 299:23, 299:24, 301:12, 302:14, 307:7 transceiver's [1] - 298:13 Transceivers [1] - 172:19 transceivers [173] - 50:24, 51:10, 89:17, 89:20, 89:21, 91:8, 91:10, 91:18, 97:11, 97:12, 98:1, 100:1, 100:13, 100:14, 100:15, 101:20, 104:4, 104:17, 105:6, 105:14, 105:15, 105:24, 108:8, 108:12, 108:17, 109:9, 109:20, 110:7, 110:12, 111:2, 111:24, 114:2, 114:20, 116:6, 116:9, 116:12, 116:15, 116:22, 127:7, 127:9, 127:19, 127:21, 128:10, 128:19, 134:17, 134:20, 136:12, 136:14, 141:21, 142:3, 142:6, 142:14, 142:21, 144:7, 144:12, 151:16, 151:18, 151:21, 155:22, 156:4, 160:5, 160:13, 160:18, 161:5,	161:24, 162:3, 162:12, 163:5, 163:10, 163:13, 165:13, 167:5, 167:24, 168:4, 168:19, 169:10, 169:13, 169:20, 169:24, 174:23, 176:22, 177:1, 177:14, 177:17, 177:23, 184:11, 185:4, 185:5, 185:23, 186:8, 186:10, 186:12, 187:12, 187:15, 188:23, 189:1, 189:9, 190:24, 191:1, 191:4, 191:16, 192:6, 194:10, 195:2, 195:15, 199:24, 200:2, 200:12, 200:14, 217:18, 218:5, 225:15, 227:3, 229:18, 232:12, 233:22, 235:19, 237:10, 239:18, 239:20, 239:23, 242:19, 242:22, 243:14, 246:3, 246:5, 246:9, 246:11, 246:15, 249:13, 252:6, 252:11, 252:16, 261:5, 261:7, 264:15, 265:19, 267:8, 268:1, 272:5, 272:8, 272:21, 274:3, 288:16, 288:21, 288:23, 289:23, 290:9, 290:11, 290:15, 290:17, 290:19, 290:24, 297:23, 297:24, 298:3, 299:15, 300:11, 305:2, 306:18, 306:22, 307:23, 308:7, 308:9, 308:18, 308:24, 309:13, 309:15, 309:22, 310:3, 310:7, 310:8 transcript [4] - 19:14, 20:17, 213:9, 214:8 transition [2] - 62:23, 293:19 translated [2] - 241:9, 292:18 translation [45] - 117:4, 117:24, 126:14, 214:22, 214:23, 215:5, 215:8, 217:4,	217:5, 225:2, 227:20, 228:1, 228:4, 228:19, 229:1, 229:5, 230:22, 233:15, 235:4, 235:6, 237:12, 237:14, 237:17, 237:20, 237:24, 238:8, 238:13, 239:13, 239:16, 290:6, 291:15, 291:17, 292:21, 292:22, 293:4, 293:6, 293:12, 294:5, 294:12, 294:18, 294:23, 296:21, 297:6, 301:6, 304:6 Translation [1] - 238:1 translator [1] - 292:24 traveled [1] - 28:13 trial [1] - 30:7 trick [1] - 251:21 tried [2] - 142:1, 249:5 trouble [1] - 198:7 True [116] - 21:11, 21:14, 21:22, 21:23, 22:13, 22:15, 22:16, 22:23, 23:3, 23:7, 23:9, 23:13, 24:1, 24:3, 24:4, 24:7, 24:13, 24:15, 25:7, 31:20, 32:9, 43:21, 44:1, 44:3, 44:6, 44:15, 44:18, 44:23, 45:1, 45:23, 47:21, 50:10, 52:1, 52:16, 52:24, 53:6, 53:13, 53:22, 53:24, 54:4, 54:7, 54:14, 54:17, 54:19, 54:22, 55:10, 56:9, 56:13, 57:14, 57:18, 59:13, 59:16, 59:18, 59:21, 59:24, 60:1, 60:3, 60:13, 60:15, 61:1, 61:4, 61:6, 61:8, 62:2, 62:6, 62:8, 62:9, 62:15, 62:16, 62:19, 62:24, 63:8, 63:13, 64:2, 64:12, 65:4, 65:7, 65:11, 65:13, 65:24, 66:13, 66:16, 66:23, 67:2, 67:8, 67:10, 67:15, 67:19, 67:20, 68:8, 68:15, 68:21, 68:24, 69:16, 69:17, 70:3, 72:6, 72:7, 73:2, 73:5, 73:7, 74:14, 74:15, 74:16, 74:17, 74:18, 74:19, 83:15, 83:18, 84:8, 116:14, 278:11	true [15] - 8:2, 53:23, 98:23, 101:13, 113:11, 154:21, 191:15, 192:4, 196:1, 196:8, 207:15, 244:16, 253:19, 277:16, 313:13 truly [3] - 165:6, 274:4, 274:17 trust [3] - 126:13, 287:5, 287:10 truth [3] - 6:5, 71:13, 284:20 truthful [2] - 6:14, 144:23 truthfully [1] - 6:10 try [5] - 132:4, 145:10, 159:13, 167:20, 209:13 trying [30] - 17:12, 17:20, 36:7, 51:7, 55:4, 58:15, 62:23, 87:11, 87:13, 121:18, 141:12, 141:16, 145:12, 148:3, 149:5, 155:11, 162:5, 163:6, 164:24, 174:12, 176:3, 186:20, 201:22, 209:23, 210:11, 229:22, 239:8, 251:21, 260:3, 266:13 turn [1] - 11:22 twice [2] - 190:3, 202:21 Two [2] - 1:20, 2:8 two [46] - 21:19, 22:16, 24:2, 32:12, 40:12, 40:13, 69:6, 69:7, 76:19, 80:7, 101:24, 108:1, 109:11, 132:6, 134:14, 144:13, 144:14, 153:20, 156:11, 158:5, 158:10, 158:16, 158:18, 165:3, 166:14, 169:14, 169:16, 169:22, 191:4, 195:19, 200:20, 203:10, 256:14, 256:22, 257:7, 257:23, 266:8, 267:21, 271:1, 281:4, 283:15, 291:12, 301:18, 302:2 two-factor [2] - 256:22, 257:7 two-page [1] - 291:12	type [2] - 37:7, 272:7 typical [1] - 6:7 typically [2] - 100:11, 177:23 U U.S [4] - 76:21, 78:5, 283:19, 283:21 UG [1] - 109:14 UH [1] - 109:16 ultimate [3] - 241:12, 275:16, 276:1 ultimately [2] - 17:1, 17:16 unauthenticated [1] - 296:22 uncertain [1] - 294:16 unclear [1] - 303:16 under [18] - 5:23, 6:1, 6:4, 6:8, 6:17, 18:11, 18:15, 37:4, 40:7, 97:3, 114:15, 262:16, 263:2, 270:8, 271:3, 305:7, 307:10 underline [3] - 130:15, 130:20, 262:5 underlined [3] - 262:1, 262:3, 262:9 underlining [1] - 262:7 underlying [2] - 42:22, 43:2 undermining [1] - 222:24 understood [5] - 25:15, 103:3, 153:8, 196:22, 254:13 unfortunately [2] - 51:1, 167:18 unidentified [1] - 100:18 unique [41] - 98:1, 98:11, 100:2, 100:16, 100:20, 101:1, 101:5, 159:6, 160:5, 160:9, 160:13, 160:16, 160:23, 162:6, 162:7, 163:5, 163:7, 163:8, 163:21, 165:6, 169:19, 173:11, 175:10, 187:3, 187:4, 187:18, 188:14, 188:15, 199:16, 200:4, 203:23, 205:8, 244:18, 251:22, 265:20, 266:1, 267:8, 268:1, 268:2, 289:7, 307:15 unit [6] - 99:8, 157:17, 185:20, 192:4,
--	---	--	--	--

<p>298:4, 307:13 UNITED [1] - 1:4 units [1] - 309:24 Units [7] - 106:9, 107:10, 109:1, 111:19, 113:24, 114:1, 115:5 Universal [1] - 261:18 unless [2] - 25:14, 275:5 unlike [2] - 6:7, 301:15 unlikely [6] - 165:8, 165:15, 165:17, 165:20, 167:5, 168:8 unreliable [2] - 118:15, 126:10 unusual [1] - 298:11 up [22] - 23:5, 40:18, 45:4, 45:18, 51:20, 51:21, 53:5, 60:23, 87:5, 108:3, 134:3, 141:2, 149:7, 154:8, 154:9, 169:3, 178:14, 178:24, 208:2, 261:21, 261:24, 302:24 user [1] - 49:10 uses [1] - 256:22 utilize [1] - 199:11</p>	<p>32:8, 39:6, 73:15, 73:24, 74:8, 116:8 variations [1] - 207:22 varies [1] - 48:18 various [5] - 104:9, 178:15, 179:1, 280:8, 289:5 vender [1] - 122:15 vendor [50] - 114:8, 114:15, 114:17, 114:24, 115:1, 115:10, 117:9, 117:11, 118:3, 118:6, 118:10, 118:11, 118:24, 119:7, 119:8, 119:18, 120:1, 120:4, 120:6, 120:15, 121:12, 122:6, 122:7, 122:12, 125:9, 125:13, 125:23, 126:7, 126:15, 127:6, 127:11, 127:17, 127:18, 128:9, 128:18, 132:9, 132:15, 133:6, 133:15, 134:8, 134:9, 134:14, 135:7, 135:11, 135:15, 135:16, 135:17, 135:18, 135:21 vendors [5] - 115:7, 115:12, 127:8, 136:1, 289:4 verbalize [1] - 95:2 Verification [10] - 225:6, 225:11, 236:6, 237:7, 238:6, 261:17, 290:3, 301:4, 303:17, 304:4 verification [4] - 237:8, 240:1, 240:10, 241:1 verify [1] - 292:24 verifying [1] - 292:22 version [6] - 8:13, 78:20, 118:8, 241:9, 286:12, 286:13 versus [5] - 5:17, 66:19, 77:17, 78:5, 165:2 view [3] - 276:14, 301:18, 302:2 viewed [1] - 115:21 VII [1] - 9:3 Visual [1] - 255:22 visually [2] - 91:8, 257:11 Vitae [2] - 3:11, 14:7 VOL [1] - 1:1 vs [1] - 1:11</p>	<p>W</p> <p>Wait [1] - 146:17 wait [14] - 13:9, 84:19, 86:22, 86:23, 123:4, 130:22, 131:3, 179:7, 213:1, 222:5, 238:11, 291:8 waive [2] - 213:11, 213:14 Wanda [2] - 63:12, 64:9 Wang [1] - 297:16 wants [2] - 240:19, 287:6 warned [1] - 85:7 wasting [3] - 24:22, 25:1, 224:17 web [2] - 47:17, 256:24 website [20] - 4:12, 45:23, 46:1, 46:13, 46:20, 46:23, 47:12, 255:7, 256:8, 256:11, 256:18, 261:17, 262:17, 280:20, 281:6, 281:7, 291:10, 291:18, 292:1 websites [1] - 47:1 Wednesday [1] - 1:21 weigh [1] - 285:18 weight [2] - 277:21, 298:15 Weymouth [1] - 1:23 whatsoever [2] - 159:19, 200:3 whereas [6] - 121:9, 140:12, 143:22, 158:11, 200:2, 259:13 WHEREOF [1] - 313:16 whole [24] - 8:1, 10:8, 106:12, 117:19, 117:21, 129:21, 130:2, 130:5, 130:23, 131:3, 149:16, 151:20, 167:24, 170:24, 198:15, 210:24, 211:3, 212:9, 212:21, 219:17, 220:21, 221:18, 222:15, 227:8 wholly [5] - 60:6, 60:9, 82:9, 85:6, 87:2 widely [4] - 172:21, 177:14, 177:18, 303:7 withdraw [2] - 45:15, 74:14 witness [69] - 1:16, 10:11, 11:2, 12:22,</p>	<p>20:1, 21:8, 25:5, 30:14, 31:15, 41:9, 53:12, 70:13, 70:14, 70:20, 71:1, 71:22, 81:14, 82:1, 82:6, 84:21, 86:1, 86:3, 86:7, 86:13, 88:7, 96:10, 96:12, 123:20, 131:13, 211:23, 212:1, 212:3, 212:13, 215:11, 216:24, 217:8, 219:5, 220:13, 221:5, 223:6, 224:5, 225:17, 225:24, 226:14, 234:24, 235:2, 235:12, 238:18, 238:23, 239:9, 239:10, 256:3, 262:3, 266:11, 266:15, 267:1, 282:21, 283:1, 283:4, 293:10, 293:16, 294:13, 294:14, 296:9, 297:3, 297:5, 299:8, 313:11, 313:15 WITNESS [17] - 13:16, 123:11, 124:16, 124:19, 130:6, 130:9, 147:5, 162:16, 179:9, 182:20, 190:16, 196:4, 248:16, 248:20, 285:16, 311:1, 313:16 witness's [2] - 81:23, 222:22 Witnesses [4] - 4:9, 280:1, 280:15, 282:22 Won [1] - 56:23 word [3] - 155:7, 277:20, 277:21 words [5] - 81:17, 86:9, 155:12, 187:17, 266:19 works [7] - 24:15, 49:8, 63:15, 72:14, 72:22, 73:5, 279:16 world [3] - 29:5, 144:5, 158:12 worry [1] - 273:7 write [9] - 31:7, 31:15, 130:14, 130:15, 130:17, 169:5, 305:4, 305:11, 305:12 writing [1] - 36:14 written [24] - 16:4, 16:7, 30:18, 31:12,</p>	<p>125:19, 126:1, 126:2, 126:12, 126:14, 132:16, 133:4, 136:11, 140:11, 221:13, 225:18, 228:13, 230:20, 239:2, 247:3, 255:11, 264:10, 265:1, 293:11, 300:9 wrote [1] - 305:5 WTD [12] - 114:18, 115:1, 115:9, 115:14, 120:15, 125:22, 127:6, 127:18, 128:9, 128:18, 134:6, 135:22 www.truepedigree. com [1] - 45:24</p>
V				X
<p>vague [13] - 113:15, 125:17, 126:8, 186:3, 186:17, 254:2, 254:3, 267:19, 277:6, 288:2, 288:4, 296:1, 300:1 vaguely [1] - 302:12 valid [10] - 114:9, 114:12, 118:24, 119:23, 122:6, 122:15, 125:13, 126:7, 127:11, 303:2 validate [1] - 293:14 Validate [2] - 4:7, 255:2 validated [2] - 256:24, 257:1 validation [5] - 263:11, 266:6, 267:12, 269:20, 271:21 Validation [1] - 256:5 value [9] - 114:10, 114:12, 118:24, 119:8, 119:23, 122:6, 125:13, 305:6, 305:12 vanishingly [1] - 100:19 Vantage [10] - 28:8, 28:16, 28:23, 29:17,</p>				<p>XFB [1] - 115:11 XYZ [1] - 134:3 XYZ-H3C [1] - 134:3</p>
				Y
				<p>year [3] - 26:21, 42:5, 236:18 years [21] - 26:10, 27:3, 32:16, 36:1, 89:16, 91:21, 94:1, 103:2, 114:13, 140:4, 144:5, 144:22, 166:11, 171:9, 171:10, 199:7, 209:11, 250:23, 271:15, 281:4, 310:18 York [4] - 2:4, 2:14 yourself [3] - 30:14, 38:1, 91:8 YU [3] - 1:8, 1:9, 1:9 yup [6] - 76:22, 80:13, 129:2, 223:11, 243:11, 291:22 YUYI [1] - 1:7</p>
				Z
				<p>zero [7] - 100:23, 101:3, 197:2, 199:1, 199:3, 199:5, 200:10</p>